

MINUTES ADOPTED BY CITY COUNCIL

Greenville, NC
March 13, 2003

The Greenville City Council met in a regular meeting on the above date at 7:00 PM in the City Council Chambers, third floor of the Municipal Building, with Mayor Robert D. Parrott presiding. The meeting was called to order, followed by the invocation by Council Member Little and the pledge of allegiance to the flag. The following were present.

Mayor Robert D. Parrott
Mayor Pro-Tem Ric Miller
Council Member Mildred A. Council
Council Member Ray Craft
Council Member Pat Dunn
Council Member Rose H. Glover
Council Member Chip Little
Marvin W. Davis, City Manager
Wanda T. Elks, City Clerk
David A. Holec, City Attorney

APPROVAL OF AGENDA

City Manager Davis reported that written requests were received from Doug Tyson and Donald Cherry to address the Council.

Motion was made by Council Member Dunn and seconded by Council Member Council to allow Mr. Tyson and Mr. Cherry to address the Council. Motion carried unanimously.

The Mayor reported that their address would be the next item after public hearings.

After a suggestion by Council Member Glover that they be allowed to speak during the Weed and Seed issue, motion was made by Council Member Glover and seconded by Council Member Little to allow Mr. Tyson and Mr. Cherry to speak during the Weed and Seed issue. Motion carried unanimously.

City Manager Davis reported that he received a request by Stanley Sams to continue the HMM Investments rezoning in order to allow time to talk with the neighbors who object. There have been two protest petitions received on this property, and they have been confirmed as being valid.

Motion was made by Council Member Craft and seconded by Council Member Dunn to continue the rezoning for HMM Investments until April 10, 2003. Motion carried unanimously.

City Manager Davis stated that a request has been made by Council Member Council for the City Council to consider a resolution for peace. He asked the Council if they wish to discuss it tonight and list it on the next meeting agenda or vote on it tonight.

Council Member Council stated that she would like to have it voted on tonight at the request of the National League of Cities. There was an emergency roundtable meeting in Washington, DC, and it was stated that this needs to be done by March 16.

Mayor Pro-Tem Miller stated that he doesn't feel comfortable debating a resolution on national policy for this country. The Council Members were elected to deal with local issues, and he doesn't feel qualified to make an opinion in that area. It is a very important issue; however, the Council Members have a responsibility to study and take action on their own.

Council Member Council stated that this is not only a national issue, but a local issue as well. Lives of many citizens and federal monies will be lost. The City will be the first responders to things that happen. This resolution is to help cities as well as to help people.

Motion was made by Mayor Pro-Tem Miller and seconded by Council Member Little to not place this resolution on the agenda.

Council Member Council read a resolution like the one she would like for the Council to consider.

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RESOLUTION OPPOSING A PRE-EMPTIVE U.S. MILITARY ATTACK ON IRAQ

WHEREAS, the issues between Iraq and the world community have not prove to be irresoluble by traditional diplomatic efforts; and

WHEREAS, while Saddam Hussein is a tyrant who should be removed from power, both for the good of the Iraqi people and for the security of Iraq's neighboring countries, it is not at all clear that a unilateral U.S. military action would result in the installation of a free and democratic Iraqi government; and

WHEREAS, unilateral U.S. military actions would risk the deaths of thousands of Iraqi civilians without guaranteeing the safety and security of U.S. citizens; and

WHEREAS, a pre-emptive U.S. military attack would violate international law and our commitments under the U.N. Charter and further isolate the U.S. from the rest of the world; and

WHEREAS, the Congressional Budget Office estimates a military action against Iraq will cost our nation between \$9 and \$13 billion a month, likely resulting in further cuts in federally funded projects and programs that benefit our city and its residents; and

WHEREAS, a U.S.-led war in Iraq would compromise our current action in Afghanistan, and require years of nation-building activities in Iraq; and

WHEREAS, we give our unconditional support to U.S. military personnel serving at home and abroad in their tireless battle against global terrorism, and should our military forces be sent to Iraq, we give our unyielding support to our young men and women serving in our nation's military, even if we oppose the policy that sent them there;

NOW, THEREFORE, BE IT RESOLVED, that we, the members of the City Council of the City of Chicago, oppose a unilateral pre-emptive U.S. military attack on Iraq unless it is demonstrated that Iraq poses a real and imminent threat to the security and safety of the United States; and

BE IT FURTHER RESOLVED, that we support a return of U.N. weapons inspectors to Iraq, enhanced by sufficient police support to guarantee unfettered access to all targeted sites; and

BE IT FURTHER RESOLVED, that we urge the U.S. to work through the U. N. Security Council and reaffirm our nation's commitment to the rule of law in all international relationships; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the North Carolina congressional delegation and to the President of the United States."

"COPY"

The motion made by Mayor Pro-Tem Miller and seconded by Council Member Council to not place this resolution on the agenda was then voted on and carried with a vote of 4:2. Mayor Pro-Tem Miller and Council Members Little, Craft and Dunn voted in favor of the motion. Council Members Council and Glover voted in opposition.

City Manager Davis reported that several items had come in after the agenda was sent out that the City Council needs to consider adding to the agenda—(1) a request by Mike Baldwin regarding Meadow Woods Subdivision, (2) a request for an agreement regarding the Town Common amphitheater, and (3) cancellation of the regular March 24, 2003 City Council meeting.

Motion was made by Council Member Dunn and seconded by Council Member Craft to add the following three items to the agenda: (1) a request by Mike Baldwin regarding Meadow Woods Subdivision, (2) a request for an agreement regarding the Town Common amphitheater, and (3) cancellation of the regular March 24, 2003 City Council meeting. Motion carried unanimously.

Motion was made by Council Member Craft and seconded by Mayor Pro-Tem Miller to approve the agenda as amended. Motion carried unanimously.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Affordable Housing Loan Committee

Council Member Little announced that the appointment to the Affordable Housing Loan Committee would need to be continued to April.

Citizens Advisory Commission on Cable TV

Motion was made by Mayor Pro-Tem Miller and seconded by Council Member Dunn to reappoint Elaine Paul for a second three-year term expiring March 2006 and James Rees for a first three-year term expiring March 2006 and to continue the other two appointments. Motion carried unanimously.

APPROVAL OF CONSENT AGENDA - APPROVED

- (1) Minutes of February 1, February 10, and February 13, 2003 City Council meetings
- (2) Ordinance establishing a no parking zone on a portion of West Third Street (Ordinance No. 03-19)
- (3) Consideration of the refund of various taxes

<u>Name</u>	<u>Reason</u>	<u>Amount</u>
Austin Hoover Britt	Adjust value on vehicle & prorate taxes on vehicle	\$112.12
Nancy Grimes Batchelor	Vehicle double charged	\$164.59
Fiesta Corporation	Refund penalty assessed on TMA Audit per approval of the Pitt County Board of Commissioners on February 3, 2003	\$909.81
Wells Fargo Auto Finance	Vehicle charged in city limits in error	\$281.01

Motion was made by Council Member Craft and seconded by Council Member Glover to approve the consent agenda. Motion carried unanimously.

ORDINANCE REZONING JAMES M. WILLIAMSON PROPERTY LOCATED ALONG NORTHERN AND SOUTHERN RIGHT-OF-WAY OF SPRINGFIELD DRIVE, WEST OF MEMORIAL DRIVE AS FOLLOWS: TRACT 1 FROM OR AND R6 TO CH; TRACT 2 FROM R6 TO OR - ADOPTED

City Manager Davis reported that a notice of public hearing was published in The Daily Reflector on March 3 and March 10, 2003 setting this time, date and place for a public hearing to consider a request by James M. Williamson to rezone two tracts totaling 13.121 acres located along the northern and southern right-of-way of Springfield Drive, 420± feet west of Memorial Drive as follows: Tract 1, consisting of 7.667 acres, from OR and R6 to CH; Tract 2, consisting of 5.454 acres, from R6 to OR. At its February 18, 2003 meeting, the Planning and Zoning Commission voted to recommend approval of the request.

Mr. Harry Hamilton, Chief Planner, delineated the property on a map and stated that the surrounding uses are a vacant buffer strip of 160 feet in width adjacent to Greenfield Terrace Subdivision. To the south is vacant property owned by the North Carolina Department of Corrections; to the east are Ron Ayers Motorsports and Huddle House; and to the west is vacant land. Water and sewer is available to the site. The land use plan recommends commercial development west of Memorial Drive along both sides of Springfield Drive transitioning into office/institutional/multi-family, which would serve as a buffer to the existing and recommended medium-density residential development to the west. The request is in compliance with the Comprehensive Plan.

Mayor Parrott declared the public hearing open and solicited comments from the audience.

Mr. James Williamson was available to answer questions. He stated that he has a wetlands certification on this property, and it has not been declared wetlands.

There being no further comments, the public hearing was closed.

Motion was made by Council Member Craft and seconded by Council Member Dunn to adopt the ordinance rezoning two tracts totaling 13.121 acres located along the northern and southern right-of-way of Springfield Drive, 420± feet west of Memorial Drive as follows: Tract 1, consisting of 7.667 acres, from OR and R6 to CH; Tract 2, consisting of 5.454 acres, from R6 to OR. Motion carried unanimously. (Ordinance No. 03-20)

ORDINANCE ANNEXING REBECCA E. DAVENPORT PROPERTY LOCATED ON NORTHERN RIGHT-OF-WAY OF DAVENPORT FARM ROAD, EAST OF ITS INTERSECTION WITH WOODRIDGE DRIVE - ADOPTED

City Manager Davis reported that a notice of public hearing was published in The Daily Reflector on March 3, 2003 setting this time, date and place for a public hearing to consider a request by Rebecca E. Davenport to annex 1.85 acres located on the northern right-of-way of Davenport Farm Road approximately 630 feet east of its intersection with Woodridge Drive. This is a noncontiguous annexation.

Mr. Andy Harris, Director of Planning and Community Development, delineated the property on a map and stated that the property is located in Voting District 5. The property is currently vacant and the property used is for a single-family dwelling on one lot. The current population is 0, and the proposed population at full development is 2, with 0 being minority.

Mayor Parrott declared the public hearing open and solicited comments from the audience. There being none, the public hearing was closed.

Motion was made by Council Member Little and seconded by Council Member Dunn to adopt the ordinance annexing 1.85 acres located on the northern right-of-way of Davenport Farm Road approximately 630 feet east of its intersection with Woodridge Drive. Motion carried unanimously. (Ordinance No. 03-21)

PUBLIC HEARING REGARDING PROPOSED ACTIVITIES WITHIN 5-YEAR CONSOLIDATED PLAN AND 2003-04 ANNUAL PLAN FOR CDBG AND HOME PROGRAMS – APPROVED

City Manager Davis informed the City Council that a Needs Public Hearing is held annually on the Community Development Block Grant and HOME Programs. In the past, the City has pursued small target areas such as the Bonners Lane for revitalization, which is a four-block area. The proposed area before City Council for revitalization is a 45-block area, which is 10 times the size of the Bonners Lane area. This plan is in concurrence with the goals that City Council has set in regard to community revitalization and community renewal. Every five years a consolidated plan is prepared for the Community Development Block Grant Program and staff has looked at the proposed area in a very comprehensive way and has many positive goals. The plan reinforces homeownership, particularly elderly homeownership, and reinforces the commercial area on Albemarle Avenue. The plan will offer rebuilding affordable housing as has been done in many of the City's successful affordable housing subdivisions to increase homeownership. The plan complements many initiatives that are underway now such as the existing Community Development Block Grant Program that the City has executed for many years, the Tenth Street Corridor, and other kinds of improvements that the City has discussed and/or has underway. The presentation to the City Council is the first step. After the public hearing, City staff would like to take the proposed plan to the community for their response and then bring the plan back to City Council in June 2003.

Mr. Andy Harris, Director of Planning and Community Development, stated that the proposed plan is a new and bold initiative. The City only gets a chance every five years to submit the Community Development Block Grant and HOME Consolidated Five-Year Plan. Staff will be treating the proposed area in a more comprehensive way than in the past and will begin in the neighborhoods of West Greenville addressing the needs lot by lot. A lot of work has gone into the proposed plan, but the plan is only a draft and is subject to change after staff hears the needs and desires from the citizens by visiting with the people in the neighborhood, having several meetings and receiving input from the residents.

Mr. Harris informed the City Council that the project will cost approximately \$13.8 million. Of that amount, approximately \$8.9 million will come from the HOME Program and the Community Development Block Grant Program with the remaining \$5.9 million coming from other sources that will be identified throughout the program. The proposed comprehensive project is a component of the larger redevelopment effort that is going on in Greenville. The work that has been done so far through the joint contract with Uptown Greenville and the University and the conceptual plans that they have developed, and the work that is going on through the Community Development Program should all be funneled back through the Redevelopment Commission to ensure that there is a unified vision. The proposed plan will take approximately eight years to complete.

Mr. Harris stated that staff would like to maintain the neighborhood's character by retaining current owners; rehabilitating as many owner-occupied units as possible in the area; removing blighted, dilapidated structures; redeveloping acquired property for affordable owner occupied and rental houses; creating a neighborhood commercial mode with positive services for the community; making improvements to public facilities that would compliment redevelopment

efforts; creating community focus modes; and providing for ways to work with the private sector to leverage private funds that would assist with the efforts of the revitalization. A lot of the redevelopment for this area will involve the private sector, providing extensive code enforcement measures to ensure changes, removing undesirable and dilapidated uses, identifying a preliminary strategy that will prioritize areas for work, identifying activities and land uses that will be undertaken in the area, providing for community involvement in the development of annual activities, assessing the program regularly for necessary readjustments and networking with other providers for the creation of services for residents of the area. The proposed area was delineated on a map.

Mr. Harris continued by stating that the City will offer rehabilitation assistance, assist the commercial areas, and offer relocation assistance for individuals whose homes are dilapidated and/or demolished. Areas left vacant will be improved and redeveloped with new homes and new structures. Infrastructure improvements will occur such as sidewalk, street and lighting improvements. Some of the neighborhoods that are being discussed include the Cherry View neighborhood, Perkins Town, Biltmore neighborhood and Lincoln Park.

Upon being asked where the funding would come from to cover associated costs for acquisition of existing structures, structure improvements and mortgage money to create homeownership, Mr. Harris replied that staff would work through the Affordable Housing Program and the North Carolina Housing Financial Agency to make second mortgages available.

Upon being asked if the \$13.8 million was only to prepare the area and then the City might have to find additional funding to actually carry out the plan, Mr. Harris replied that the \$13.8 million does not include redevelopment or infrastructure cost.

Upon being asked if the \$5.8 million would come from public sources, Mr. Harris replied that the cost is over an 8-year period and staff would be looking for that amount of money to go with other available monies.

Mayor Parrott informed the Council that the other sources could be earmarks or money that the City puts in the General Fund.

Council Member Glover expressed concern about the owners of the vacant lots, rental property and warehouses being the first to benefit instead of the people who actually live in the area. She was concerned about the state of the houses of the people that had been on the waiting list for rehab assistance for three to five years and then their having to wait another five years for this to take place. She stated that the City should rehab what is already there and give these people a sense of security and pride.

Mr. Harris informed the Council that this is a planning public hearing to get the Council's input and to incorporate the Council's thoughts into the process. The City will need to get rid of the blight and at the same time make improvements to existing structures. Staff needs to give emphasis to those homeowners that live in the proposed area, because homeowners are becoming fewer and fewer each year. The proposed area is predominately renter households and staff wants to do everything possible to encourage the homeowners that are living in the proposed area to stay there. One way to do that is to make rehab assistance available. Staff also wants to

increase homeownership through the programs that have been discussed and make available new homes that will be built in the area to the residents that presently live there but who may not be homeowners.

Mr. Harris delineated the area on a map and stated that the area along Albemarle Avenue is predominately commercial and City staff will encourage improvements in that area through some form of assistance. The area along Martin Luther King Jr., Drive is presently office/institutional with some commercial and residential, but the proposed picture will be a mixed use and will be upgraded significantly through the program. The interior of the area will be predominately medium-density residential with some multi-family. There must be some multi-family in the area because everyone cannot afford to buy a home.

Council Member Glover stated that only 25% of the properties in the proposed area are owned by homeowners and the remaining properties are rental. Council Member Glover asked where the City is going to relocate the area residents.

Mr. Harris replied that the City has to find decent, safe and sanitary housing for anyone who is being relocated through the program, and the City will also provide relocation assistance and rental assistance for several years. Under the program, HUD mandates that if the City buys property, the property is demolished and the City causes relocation, then the City has no choice but to provide relocation assistance.

Mr. Harris delineated a map of Martin Luther King Drive, Cherry Street, Imperial Street, Contentnea Street and Roosevelt Avenue showing a commercial node with a buffer area being the housing and the commercial area. The commercial area fronts Martin Luther King Drive with parking in the rear. Understanding that this is an intercity neighborhood, there is an excellent opportunity to demonstrate new traditional development having services within walking distance, trees lining the streets, and lighting. All these things are possible in this area through the proposed program. The map only shows one small area, but the housing plans can be replicated throughout the neighborhoods that are being discussed. Mr. Harris delineated another picture of what the area could look like with a new commercial node, safe crossings, a small planted median, lighting, sidewalks, and underground wiring. He informed the Council that the lots along Douglas Street are small, and one of the City's goals is to have at least 6,000 square foot lots. These proposed homes are more of a central city neighborhood with the houses close to the street, sidewalks, period lighting, and streetscapes with trees planted in the neighborhood along the streets.

Mr. Harris informed the Council that the total amount of money that would be available for the 2003-2004 year would be about \$1.8 million, \$979,000 through the entitlement program, \$600,000 reallocated from the Bonners Lane program and \$300,000 estimated funding for Greenville through the HOME program. The total amount of money through the Community Development Block Grant Program is \$1.5 million and \$300,000 is from HOME. The combined total of \$1.8 million will be available for the first year in this program to start these efforts. A great deal of staff effort has gone into this plan thus far. City staff will refine this plan and work on it more with the citizens. In April there will be an opportunity for City Council Members and the Affordable Housing Loan Committee to have a bus tour, and staff will explain the plans when riding through the neighborhood. When the plan comes back to City Council in June there

will be a second public hearing giving the citizens another opportunity for input, hopefully asking for approval. The plan should be submitted to HUD by June 30, 2003.

Council Member Dunn thanked staff for starting the project.

Mayor Parrott thanked the staff for working on this project. He stated that City Council discussed redevelopment of West Greenville during the planning session and he thought it was outstanding that staff had gone through the efforts to prepare a plan and to secure the funds to do it. As discussed in the Council's planning session, it is the City Council's goal to create at least 50% homeownership in West Greenville. The Council needs City staff to bring ideas forward so the Council can elect to go through with them.

Council Member Glover stated that she wanted to also thank the staff and cautioned the citizens to keep their eyes and ears open to what is happening in their communities.

Mayor Pro-Tem Miller stated that it is a good plan not only for the proposed neighborhoods but for all older neighborhoods throughout the City that are changing rapidly from owner-occupied to rental properties. Until the City can put a policy in place that will give people an incentive to retain owner-occupied single-family residences and enforce policies to ensure that rental property meets the minimum housing standard, then the plan is nil.

Mayor Parrott declared the public hearing open and solicited comments from the audience.

Mr. Douglas Tyson, a Greenville citizen, informed the Council that he was Chair of the Weed and Seed program but was speaking as a citizen. Mr. Tyson stated that when he was a child and lived on Greene Street, the residents of the Town Commons were all black and the people owned their homes. A similar proposal came before the residents. At that time, blacks were not educated enough to really know what was going on. This proposal looks like the same scenario and when the project began they wiped out all the homeownerships. That is how Kearney Park and Moyewood began. The City's high crime areas are in the public housing areas and when people that are illiterate or people who do not want to move forward are put in a certain area, it creates more crime. Mr. Tyson advised the Council to go into the community and not only talk to the citizens but also talk to the black people that want to own homes and let them do some things for themselves.

Mr. Bennie Rountree, a Greenville citizen, stated that it was one of the first times since he had been in Greenville that the residents in the proposed area will be relocated to a new community and not a community that is already run down. Because the proposed neighborhood would have new homes and new streets, he was very thankful for whoever had the idea.

Ms. Barbara Fenner, Director of West Greenville Community Development Corporation, stated that it was a pleasure to hear discussions of a plan regarding revitalization as it relates to affordable housing transformation. She wishes the ideas had come forward earlier since she had been working almost 20 years without the greatest of support from the City. She stated that she was impressed and thought it was time for a transformation and reiterated what the other speakers had said. Ms. Fenner informed the City Council that she was a native of the area and remembered past revitalizations that the City has undertaken. The proposed plans are beautiful,

but there are questions about the level of cooperation. Everyone needs to have input, and final plans should not be made until someone has sat down and spoken to each business owner in the proposed areas and collected their ideas. Additionally, beautiful buildings are fine but the cost effectiveness is also critical. Ms. Fenner asked if the existing business owners would be able to afford what the City is projecting and what kind of assistance the City is going to provide for business owners who cannot afford the prices. Ms. Fenner stated that she hoped the City could get beyond Weed and Seed and talk about the recreation needs of the children in the community and the needs of families for meaningful educational programs and recreational facilities. Weed and Seed is a national acronym, and one thing about federal programs is that after three to five years they do go, but it is the responsibility of citizens of Greenville to take care of the citizens and the children in West Greenville. The City owns a new recreation facility in Winterville and a new golf course. Ms. Fenner stated that she thought the commitment was not to Weed and Seed, but to the needs of the children and the families in West Greenville. Ms. Fenner stated that she liked the proposed plan but felt sad that since she had been working for 20 years in Greenville that at no point had anyone from the Planning Office called to get any input from her. Ms. Fenner stated that she was very impressed with the present City Council but there has to be a commitment to the people of West Greenville.

Mr. Phil Higgs, Southern Christian Leadership Conference President, stated that he wanted to echo everything that Barbara Fenner said.

Ms. Mary Williams, a Greenville citizen, stated that her family once owned property in Meadowbrook and had a business in the area. Her first education was in Meadowbrook in Ms. Stanley Jackson's school. Development is good, but when development comes in, it moves people out and that is bothersome. Ms. Williams stated that she was on the Board of Education and the Boys and Girls Club used to be located off of Skinner Street. It was moved to Winterville, and everyone was promised there would not be any expenses. She taught a class at the Boys and Girls Club and there are mothers who are head of their household who complain about the long waiting list and the cost to get their children to the Boys and Girls Club, which defies the purpose of the Club. Weed and Seed is an educational component for crime. Development is good, but the City must remember the West Greenville family is a strong institution in this community and they are hurting as far as development is concerned. The streets in West Greenville are the last to be repaired and the last to have sidewalk work done. Ms. Williams asked the City Council to be careful about what development is allowed to come into the proposed area or the area will end up like Meadowbrook, where the people get moved in and it takes an act of Congress to clear the bushes and shrubs and to move the debris. Redevelopment is good in principle, but when there is no enforcement the City suffers seriously in more ways than one. That creates crime.

Ms. Chris Darden, a Greenville citizen, asked several questions that were addressed by staff.

- Is the Bonners Lane project complete? (RESPONSE: No. The project is not complete. Properties have been acquired, homeowners have been converted, there has been some rehab of existing houses, and new houses have been moved in, but the City Council has put the project on hold for about a year to look at reuses.)
- Is the City Council going to reallocate the money that was designated for Bonners Lane to the new project? Will the Bonners Lane project be completed? (RESPONSE: The

Bonnors Lane project will be completed, but the City has guidelines under HUD regarding the spending of funds. That is the reason for the reallocation.)

- How long has the City been working on the proposed project? (RESPONSE: The City has an Affordable Housing Loan Committee and there are many affordable housing initiatives. In some ways, it is an outgrowth of the Bonners Lane program which staff has been working on for several years. It is hard to set a beginning and an ending date, because this has been worked on in a comprehensive way for the last two to three months. The Affordable Housing Loan Committee and the City Council are the first stop before taking the plan to the community.)
- Have the City Council Members seen this information before or is this their first viewing of the project? (RESPONSE: Yes. This is the first time they have seen the information.)

Ms. Darden stated that she hopes the City will have plans for people seeking housing that have credit issues.

Reverend Joseph Singleton, a minister, informed the City Council that he is not a native of Greenville but did a lot of ministry work in the West Greenville area. The plan is a wonderful idea and he wishes that the people who lived in the area could remain there, but he is afraid the people will be removed and another group of people brought in to live in the area. It has been mentioned that affordable loans would be available for people that were going to live in the proposed area, but that was told to a lot of people during the flood and they did not get affordable housing loans.

Mr. Michael Adams, a Greenville citizen, stated that this was the first City Council meeting that he had attended. He asked several questions and responses were given as follows:

- How would the City staff go about meeting with the citizens that lived in West Greenville to receive their ideas and feelings? (RESPONSE: The meetings would be held in the neighborhoods and flyers would go out door to door. The meetings would be held in churches and other buildings made available for use in the neighborhoods so that people who live in and around the neighborhood could attend.)
- Did the City use flyers to advertise the City Council meetings? (RESPONSE: Flyers are not used to notify the public about City Council meetings.)
- Will flyers let everyone know what is going on? (RESPONSE: Flyers would be a notice to let the residents know where the meetings were being held, the time, and inviting the residents to come and give input, comments and changes.)

Mr. Adams stated that he still thought the people were uninformed. The people in the area do not know what is going on and there are a lot of people at the meeting tonight that came and didn't know this subject would be brought up. They are just finding out about it. Mr. Adams further stated that he thought the plans had already been made.

Mayor Parrott stated that the proposed plans have not been finalized and this was the first time the City Council has seen the plans. Plans have to start somewhere and this is the first draft. City staff plans to meet with the community and there will be plenty of community input before this plan is implemented.

Mr. Adams stated that if the Council took into consideration the opposition from the citizens that were present at the meeting, it would be a consensus that the plan is not wanted.

There being no further comments, Mayor Parrott closed the public hearing.

PRESENTATION REGARDING ARCHITECTURAL PLANS FOR REBUILDING RIVER PARK NORTH

Mr. Jimmy Hite stated that he has been contracted to draw the architectural plans for the replacement of the flooded building at River Park North. He showed a diagram of the proposed building, which was rectangular with an improved entrance. He stated that the building will be elevated approximately five feet above the present grade. This will be a one-year project. Bids will be taken in April and an award made in May. The building will take about nine months to construct. The construction of the exhibits will take longer.

City Manager Davis stated that the Parks and Recreation Commission has reviewed the plans for this building and concurs with the design.

REPORT REGARDING STATE OF NORTH CAROLINA REQUIRED NPDES MARCH PERMIT SUBMISSION FOR STORMWATER

Mr. Tom Tysinger, Director of Public Works, stated that since City Council's final adoption of the Stormwater Utility in December, City staff has continued to work diligently developing all aspects of the City's Stormwater Management Program. Work is focused on meeting the requirements of the federal rules for water quality, National Pollutant Discharge Elimination System (NPDES) Phase II Rules, and the Tar-Pamlico River Basin Rules mandated by the State. March 10, 2003 is the deadline for submission of the NPDES Permit application. Staff is 85% complete with the permit application and is on a schedule to meet the submission deadline. Greatest effort is being placed on development of the State NPDES Permit Application, public education, credit manual development, and stormwater utility fee billing. The work to meet the deadlines imposed by the State for NPDES permit application submittal and commitment to begin stormwater fee billing by July 1 is ongoing on many fronts. Without the cooperation and significant efforts by the Engineering Division of Public Works, Departments of Information Technology and Financial Services, along with Greenville Utilities Commission staff, staff would neither be where they are at this time nor have a hope of meeting the deadlines. Citizens will begin to see improvements after July 1.

Mayor Parrott reminded everyone that the City is mandated by the federal government to do these improvements.

REPORT ON U.S. DEPARTMENT OF JUSTICE LETTER REGARDING WEED AND SEED RECERTIFICATION

Mr. Donald Cherry stated that he lives in the community that is involved with the Weed and Seed program. He also serves on the Police Community Relations Committee. Mr. Cherry stated that in order to take this City further, the west side of Greenville should not be left out or placed on hold. The Weed and Seed Program is needed for the children. He worked with the

children last summer during summer camp, and it helped them. The citizens from the west side are not the only people who are reaping benefits from this program. There are people coming to the program for computer classes and their GED. It is very important that the program continues. People of Greenville must work together and stop being divided. Decisions should be made for the good of all people in Greenville. The west side needs that and needs it now. Council should look at what can be done now and not at what was done. The City needs to move forward and make Greenville a better place for all people.

Mr. Doug Tyson, Chairperson of the Weed and Seed Strategy, explained that Weed and Seed is not a program. It is a strategy and an initiative. The difference between the two is that a program ends and an initiative goes on and it moves throughout the City. Mr. Tyson stated that he is here to speak for the Weed and Seed initiative and citizens are here with him. He is here to speak about letters regarding the Weed & Seed Strategy, to give the whole truth, and to unite people. Mr. Tyson explained and displayed his grant writing certification from the U. S. Department of Justice, his certification from the Citizens Police Academy, and the Official Recognition and Accreditation for the Weed and Seed program for Greenville, North Carolina. He stated that accreditation gives the City favors throughout the federal government and also it lets Greenville partnership with entities that come therein.

Mr. Tyson read a letter addressed to U. S. Attorney Frank D. Whitney from the U. S. Department of Justice, Office of the Justice Program, Executive Office for Weed and Seed, Washington, D.C.

“COPY”

The Honorable Frank D. Whitney
United States Attorney
Eastern District of North Carolina
Terry Sanford Federal Building
Raleigh, North Carolina

Dear Mr. Whitney:

We appreciate the efforts of all the partners in developing the Official Recognition application for Greenville, North Carolina. After review of applications, we regret that we cannot offer Official Recognition status at this time. Considering the current number of Official Recognition sites and the increased demand for Official Recognition by interested neighborhoods, the limited availability of funds application reviews are becoming stringent. The Official Recognition application needs to do more to describe the crime problem and service gaps facing the expanded area and the strategy goals and objectives needed to be specifically related to the expanded or new area.

A copy of the Official Recognition review consolidated checklist for the site Official Recognition application is enclosed. The areas in the application that did not meet minimum requirements are identified in the enclosed checklist. Please notify the site that their application cannot be offered Official Recognition and is not eligible to compete for FY 2003 funding. Please forward the enclosed checklist, which is provided to assist the site in improving the strategy and rewriting their application. If the site wishes to be reconsidered, your office has the

discretion to determine whether to work with them or on reapplying during the forthcoming 2003 Official Recognition application cycle. All new submissions and resubmissions will need to comply with 2003 Official Recognition guidelines, which will be issued Spring of 2003.

In addition, to assist the site in addressing some of the issues identified in their application please access this website: <http://www.whitehouse.gov/government/fbci/grants-catalog-index.html>. This site was created by the White House Office of Faith-Based and Community Initiative and has over a hundred federal funding screen categories in the wide range of area. Once on this site, click on the topic area you want more information on and you are referred directly to the funding screen. You can also access the Executive Office of the Weed and Seed (EOWS) Guidelines to the federal resource for Weed and Seed communities at another website.

Sincerely,
Robert Samuel
Acting Director

“COPY”

Mr. Tyson made the following remarks while reading the letter from Washington, D.C.

- He stressed that the Greenville site has been denied funding “at this time”.
- There are Weed and Seed sites throughout the fifty states of the United States, including Puerto Rico and Hawaii.
- This is constructive feedback for the organization from the U. S. Department of Justice to Mr. Frank D. Whitney.
- The letter indicates that the site does not qualify for funding this year. The Office of the Justice Program asked them to redo the application and send it back.
- Mr. Whitney has expressed that his office wants to help. The federal government gave them websites to go to for grant money and help.
- He was there when President Bush signed the document for the Faith-Based and Community Initiative. The Weed and Seed partnership allowed the Coordinator and himself to talk to the President and witness the signing of what the President brought to the program.

Mr. Tyson read a letter from U. S. Attorney Frank D. Whitney to the Greenville site:

“COPY”

February 20, 2003

Ms. Rosa Sydney
City of Greenville
P. O. Box 7207
Greenville, N. C. 27835

We are sorry to advise that the Executive Office for Weed and Seed has chosen not to offer Official Recognition status to the Greenville site at this time; therefore, Greenville is not eligible to compete for FY 2003 funding. Enclosed for your information and use are copies of the materials we received regarding the Greenville application. Included is a checklist, which should be of assistance should you wish to be reconsidered in the future.

Although we are disappointed with this decision, we look forward to working with you again. Thank you for your efforts and your commitment to the Weed and Seed program in Greenville.

Sincerely,
Frank D. Whitney
United States Attorney

“COPY”

Mr. Tyson stated that he is committed to this effort to help the City and people. He read the two letters because it will help the media to print the truth. The comments in the letters were related to day-to-day management, which means the relationship between the Weed and Seed organization and City of Greenville. There are a lot of good people who got caught up in the nonsense and bickering that has been going on for five years and holding back the people of Greenville. The Washington, D.C. office stated in their letter that “Hopefully, there is a better day-to-day management since this has been a major issue for this applicant.” This gives them constructive feedback, not to say that the people did not do their jobs or to say that the program is failing. The program is not failing and has not failed since he has been involved. Some aspects of the program may not have worked. It did not work because the community, city, and officials did not unite. It can be done. It is a small undertaking and will cure racial, crime, housing, and community ills. This is a vehicle that was put out twelve years ago by people in Philadelphia and the U. S. Department of Justice under George Bush, Sr. and since then, it has been working in cities.

Mr. Tyson stated that the newspaper indicated that the City spent \$11,500 for the salaries of the Coordinator and Safe Haven Director over a three-month period. With the help of the City the site can get the OR (Official Recognition), which guarantees to give the organization \$300,000 a year in this area and any other area that the City wants to spend the monies for five years which is \$1.5 million. This is not the amount of the grant; this is just the money to run the administration. This \$1.5 million that can be brought into this town will help Weed and Seed to offset its expenses. As a citizen, he believes that it is not good business when the City does not want the \$1.5 million. The City of Greenville was responsible for bringing the Weed & Seed Program here. The City of Greenville applied three times and was denied twice until the community got involved and Mr. Bennie Rountree and Mr. D. D. Garrett supported the program.

Mr. Tyson stated that he has been the Chair for less than a year and has done an excellent job. He has united, coordinated and partnered with people. There are honorable people on the Steering Committee of Weed and Seed. The Steering Committee consists of Leo Edwards, District Attorney Clark Everett, Police Captain Cecil Hardy, Mayor Don Parrott, Amanda Reaves, Mayor Pro-Tem Ric Miller, Mildred Elliott, Pauline Fedder, Loretta Pruitt, Christine

Jetter, Assistant District Attorney Glen Perry, Police Chief Joe Simonowich, Dr. Reginald Watson, Council Member Rose Glover, Wilson McDowell, J. H. Rose High School Student Kyra Tyson, and Realtor Earnestine Grant. He explained that these are professional people and they have an interest in this area. Other people have echoed their sentiment. Mr. Tyson thanked Mayor Pro-Tem Miller for his attendance at the Weed and Seed meetings. He stated that the Council should reconsider their decision about dropping things. The City's \$48,000 can be deducted from the \$1.5 million.

Council Member Glover stated that the City Council only received the letter in their packages from U. S. Attorney Frank Whitney. The City Council did not receive the letter from Acting Director Robert Samuel of the Executive Office of Weed and Seed, U. S. Department of Justice, Washington, D.C. She received a copy of the letter because she is a member of the Weed and Seed Steering Committee. Council Member Glover echoed Mr. Tyson's comments about the day-to-day operations meaning the management, administration, and budgeting. The Steering Committee had no control over the money. She read from the letter "Hopefully, there is better day-to-day management since this has been a major issue for this applicant." Council Member Glover explained that applicant means the community, not "myself".

Council Member Glover distributed and read a statement.

"COPY"

To My Fellow Council Members and Citizens of Greenville,

In December of 2001, this was a newly elected body of government comprised of all new membership with the exception of Ms. Council and myself. Each new Council Member and the Mayor promised they would work to end the divisive split that dominated the previous City Council. Each new member, while campaigning for office, told the black community that you were supportive of the progress and promise that the Weed and Seed Strategy offered to the citizens of Greenville.

We sit here tonight and will cast votes that will effectively eliminate the City of Greenville's promise of a better west Greenville. This comes directly on the heels of the loss of federal funding that has been the life of the Weed and Seed Strategy.

I have access to a document that fully explains the history of this strategy and how the City of Greenville has been deficient in actively working to improve the lots of the citizens of West Greenville. Because this document is too lengthy, I will not go into details now but anyone who wishes may contact me to obtain a copy of the real truth about the Weed & Seed failure. This story has not been told by any print or electronic media and because it details how a predominantly African-American community was lied to and used by the elite power players to remain in control, the true story probably will not be given public exposure due to its shocking embarrassment to certain city power players.

The Weed & Seed Strategy was purposely set up for failure. The original hidden agenda was cleverly disguised as a plan to improve the social, economic, educational and day-to-day living conditions for West Greenville's poorest of the poor. In reality, the originators wanted

only to get access to federal monies to expand the size of the Greenville Police Department, improve the Eppes Recreation Center and to supplement the City's funding to be spent at the pleasure and leisure of certain city officials. The most damning part of this plan for failure is that because the West Greenville area has the highest levels of crime, and low socio-economic status, the power players were able to use our statistics to paint a picture of dire need to the federal government to get the Weed & Seed monies.

By voting tonight, each Council Member will have their part in determining how West Greenville will fair in the future. We sit here and are being asked to eliminate the Weed & Seed Strategy because the federal government is no longer sending us money to operate. Before you vote to end all city funding for Weed & Seed you should consider several important facts. Be mindful that this is not the first time that the City of Greenville has been forced to pick up the tab when the federal monies expire. Our Police Department has been funded on a regular basis for the past fifteen plus years by federal grants. The grants typically were funded for five years and the City of Greenville did not fire any police officers when the monies ran out. Also, be aware that when the crime increased in Greenville, we didn't fire anyone but instead we continued to throw money at the problem.

The Greenville Police Department has benefited from Weed & Seed money by purchasing a drug interdiction canine, training the canine and his handler and purchasing a special canine police vehicle. Do we vote tonight to fire this police officer, sell his canine and his car?

It appears that the bottom line is about money – we never seem to have enough. Unless, you have special needs then we as a city governing body always appear to have money available to cover the cost of these special needs. For example:

We have decided that we value our City Manager so much that we will keep him in position forever, unless he commits a felony crime. This is public record, the Manager has a contract that stipulates that in the event the Manager is terminated for any act other than a felony crime, he is to receive a salary package equal in value to two years annual salary based on his current salary.

We have expended money for a golf course, which was flooded in 1999 and for which the day-to-day operational cost continues to burden the City taxpayers.

We have also continued to fund an aquatic and fitness center, which only benefits some special interest citizens that can afford the membership dues and afford the gas it costs to drive to its remote location.

We have spared no taxpayers monies when deciding it was necessary to pay for legal fees that arose from labor disputes between the Police Department employees and city personnel decision-makers. As a taxpayer, I ask everyone in Greenville who is concerned about high taxes to investigate as to how much money was paid to the City legal staff and two additional law firms to litigate and settle a labor matter that could have been settled by City Hall before the lawyers were called.

If this elimination of Weed & Seed is only about money, let's consider how much money we have expended to fund the H. Boyd Lee Memorial Sports Complex and other recreational facilities such as the Charles Vincent Soccer Complex, the Skateboard and Trick Bike Park on Cedar Lane. Also, consider that Mr. Lee is seeking to further expand his recreational empire by costly additions and improvement to the Bradford Creek Golf Course, Teen Center and Jaycee Tennis Park expansions and additional land purchases for ball fields and the costs of fencing various parks.

My community is not seeking special treatment. We only ask for our fair share. The only monies expended for West Greenville recreation facilities and equipment in the past six years were a direct result of Weed & Seed. Had these monies not been coming in, the citizens of West Greenville would still be without playground and exercise equipment in their community. Before Weed & Seed, Mr. Lee and the city officials' concern for recreation and exercise turned a blind eye to any properties located west of Evans Street. Mr. Lee and his team removed the lights from the Eppes Baseball Field on MLK, Jr. Drive and the community was forced to beg for citizens' contributions to have the lights reinstalled!

I know that my fellow Council Members would like to hold someone accountable for the failure of the Weed & Seed Strategy. The first thought is to cast blame on the Steering Committee. Before you blame this group of dedicated citizens, please understand that they are the scapegoats. I say this because the Weed & Seed Steering Committee was set up to appear to be in control when in reality they had no control of the strategy. First and foremost, one half of the Weed & Seed Strategy is delegated to the Police Department. The Steering Committee had no operational control of the Greenville Police Department. Community policing and law enforcement operations were carried out under the directions of the Chief of Police and his staff. Historically, the only true community policing in our City was conducted in the Weed & Seed target area. Many truly dedicated and caring officers wanted to make a difference in the black community. Secondly, the City of Greenville was designated as the payee receiving the federal monies and the Steering Committee had no access to the monies nor did they have any authority to spend any money. Greenville City Officials held a tight rein by controlling the money flow, decision-making and resource allocation. Because the Weed & Seed Steering Committee had no authority to act or direct access to resources, they cannot and should not be blamed for this failure. I know for a fact that the Safe Haven Director and the Weed & Seed Coordinator, both employees of the City of Greenville, were asked by the Steering Committee to handle certain matters but their bosses ignored their pleas and allowed purchase requests to lay dormant on their desks. The Weed & Seed monies were reimbursements to the City by the federal government. When the City of Greenville forwarded information to Washington, DC that they had expended money for Weed & Seed, they were reimbursed. Every annual funding cycle for the City of Greenville Weed & Seed was delinquent in their spending because the City Officials had not acted in a timely manner. By ignoring the Steering Committee's requests and by delaying any spending requests for Safe Haven operations, the City of Greenville gave an implied message to Washington, DC that our city was not serious about this Weed & Seed Strategy. This delaying/stalling continued up to the last re-certification effort. The Coordinator was required by the re-certification application to provide crime data that would indicate the crime level difference between the initial start date in 1997 and the current crimes of 2002/2003. When the Coordinator was attempting to obtain crime data from the Police Department they refused to give any data. The application was forwarded to Washington without crucial information. Our

application was rejected and this failure to provide verification was listed as one reason for denial.

The main reason our last re-certification efforts were denied is spelled out in our rejection letter. I quote “Hopefully, there is better day-to-day management since this has been a major issue for this applicant.” From this language I infer that the federal government has arrived at the conclusion that the City of Greenville has been negligent and uncaring since it began it’s Weed & Seed efforts. By their sins of omissions (ignoring purchase requests and deadlines for making purchases or publishing reports) and by their sins of commission (removal of original volunteer coordinator, community policing corporal and steering committee recording secretary), the City of Greenville has told the West Greenville community that

- 1) Your community needs are not important to Greenville’s future.
- 2) People outside your community will determine your community’s future – not the citizens living in day-to-day blight.
- 3) You can expect nothing but what we want to give you.

A vote here tonight that defeats the Weed & Seed participation by the City of Greenville sends a clear message to all African-Americans living in the City. The entire African-American community of Greenville should wake up and see that the race-based community displacement process is continuing. The process may have been hastened by the home and people displacement caused by Hurricane Floyd but the root of the problem is not by nature but instead, by design.

When crime and socio-economic conditions prevail, community property values decline, people seeking to spare their lives and their future prosperity move away. As the property values decline, the property then becomes the target of developers. The developers of Greenville are well represented on this Council. They have already initiated a joint venture with East Carolina University to expand their interests into West Greenville. Please note that the original expansion by ECU into the adjacent surrounding neighborhoods has met with a well-financed and organized resistance comprised of homeowners in the University area. While myself nor Mrs. Council have been approached to discuss the future of the Bonner’s Lane area, I understand that discussion by our Mayor and the County School officials have been initiated and directed toward a land-swap involving Bonner’s Lane properties in exchange for the Third Street School and adjacent lands. This type of closed-door dealings continues to negatively affect my community and I will not be a part of the “good old boy system.”

My community does not have the economic resources to combat this planned expansion, but this will not deter me from representing the community and speaking out to voice their opposition to encroachment.

I say to those that are listening here tonight or watching this on cable television – I did not make this a racial issue, but the facts speak for themselves. When Mrs. Council and I were joined by new members in December 2000, I believed things would get better. I made an honest effort to trust and this trust has been betrayed. The African-American community has a history of being betrayed. Please remember the seventies, right here in Greenville – an African-American neighborhood was destroyed and their church burned to the ground when the City

fathers decided that a Town Common riverside park was needed for the people. I guess it is most appropriate for the most common folks to have park named in their owner! Those poor people had neither voice nor power to act. The Pitt-Greenville Airport Expansion and Hurricane Floyd Recovery have encroached onto black-owned properties in the Meadowbrook area. The loss of Weed & Seed in West Greenville is just another battle in the war on racism. I have fought and I will continue to fight. I have a voice, and I will use it. I ask that those who can and will work to combat the erosion of the black communities in Greenville. Please join with me and stand up for those who are too afraid or unable to speak for themselves.

Yours in Christ,
Rose H. Glover

“COPY”

Council Member Glover made the following additional comments while reading her statement.

- The Weed & Seed is not a failure. It is a success when it helps her community.
- The Aquatic and Fitness Center is a facility that was supposed to stand on its own; however, it has never done that.
- She stated that her community is tired of the crumbs from the pie.
- Also, the citizens begged to have a concession stand at their park.
- The Weed and Seed Steering Committee consists of volunteers, honorable people who want to make a difference.
- She was Chair of the Steering Committee and she knows the struggles. If it had not been for her, Weed and Seed would have been gone a long time ago.
- In a meeting in Lumberton, the Weed and Seed Coordinator from Washington, D. C. stated that the weakest part was the worse part that needed consideration and that was the crime issue.
- Applicant means the citizens of West Greenville, not herself, nor the Weed & Seed Steering Committee.
- The Mayor, City Manager, and Mr. Boyd Lee called the Weed & Seed Office and said that the City did not want to reapply. That happened before Weed & Seed was in trouble and before this City Council. She knows the things that have happened with Weed & Seed and anyone can ask her and print what she says about the Weed & Seed Strategy.
- She will fight just as hard to get something done in predominantly black communities other than West Greenville.

Council Member Glover stated that this is not just about Weed & Seed. It is about people. When she talked to the Council Members about Weed & Seed, there was not one time that Council Members said anything in concern about the people. It's all about money. The Steering Committee is only asking for one position. The Steering Committee is asking to continue what Weed and Seed and the people have put in their community.

Council Member Glover stated that the City spent \$17,460 on a one-night affair, which is Halloween. This amount was for the Police Department only and does not include funds for Public Works employees to clean the streets and downtown areas and take down the barricades. She questioned how much money has been spent on Halloween parties through the years.

Council Member Glover also questioned whether the continuance of the Weed and Seed Strategy is all about money. There is a person employed by the Greenville Police Department and the position is so nonessential that the person can work part-time and go to school. If the job does not require the person to go to school and the person is going to school it should enhance the person's job.

Council Member Glover concluded by stating that she is not angry with any of the Council Members. The Council Members have to make their decisions. In regards to the two people who called the City Clerk and are in opposition of the Weed & Seed Strategy, there are too many people here tonight to consider and they are taxpayers too. West Greenville homeowners pay taxes and people who live in other communities pay taxes.

Council Member Council stated that she supported Council Member Glover's statement.

Council Member Little stated that upcoming police strategies were discussed at a City Council meeting held last Thursday. There were quite a few of these items that focused on the four main concepts of the Weed and Seed program including law enforcement, community policing, and restoration. The Council saw a plan tonight, which may not be the ultimate plan. Based on their all day planning session and commitment, he thinks that it shows that this Council is committed to revitalization, economic development, and crime eradication in West Greenville. The start of that was the plan presented by the Police Chief to the Council at the Thursday workshop meeting. These are things the Council can build on and enhance in that area in the future.

Council Member Council stated that the City Council has heard the citizens say tonight that it is hard to trust the system. A lot of people trust and take people by their word. When the City first started the clean up, she did not want to be a part of tearing down houses. Homeowners have lost their houses and still don't have anything. If the City Council is going to help the community, make sure that it is truly help and make sure that the rich folks will not start moving back in the neighborhoods. She fears that it will happen here if this community does not stay on top of it and work with the planners to see that it does not happen. The white folks moved out when it got really bad and are going to move back and take over these communities. It happens naturally in black communities throughout the United States. The key is to make sure that it does not happen in Greenville in the name of revitalization. Help the homeowners fix up their houses. If the City creates more land, the people won't have the money to buy it. She encouraged the Council to empower the people where they are and help them to move forward. Ten years from now folks will not even recognize West Greenville. People of South Greenville will move back in, take over downtown and it will be a yuppie city of white folks.

Council Member Glover commented on the plan that was presented by the Police Chief at the Thursday meeting. This is something that the Greenville Police Department told Weed & Seed when they applied for funding in 1995, but it has not been done. Everything looks good on paper; however, the citizens shouldn't be deceived by what is on paper. Council Member Glover questioned whether the plan would be instituted. The Police Department said that it was going to work with changing the community and work with Weed & Seed. This Council may not be seated next year. The election is in November. Just because this Council thinks that it is a good plan and the present Council Members can make it work does not mean that the next Council

will do the same. It has not happened in the fifteen years that Council Member Council has been here.

Motion was made by Council Member Glover and seconded by Council Member Council to keep the Safe Haven Coordinator position and to continue the Weed & Seed Program for the West Greenville community. Motion failed with a 2:4 vote. Council Members Glover and Council voted in favor of the motion. Mayor Pro-Tem Miller and Council Members Dunn, Craft and Little voted in opposition.

REPORT REGARDING ZONING ORDINANCE PROVISIONS FOR SPECIAL USE PERMITS FOR FAST FOOD RESTAURANTS

Mr. Andy Harris stated that in accordance with direction received by City Council at the February 13, 2003 meeting to delete the special use permit review requirement for fast food restaurants in certain zoning districts, staff has prepared an ordinance amendment to delete the special use permit review requirement for fast food restaurants and to allow them by right in the MCG, CD, CDF and CG commercial districts. Special use permit review for fast food establishments shall continue in the Neighborhood Commercial District. Staff surveyed 13 medium and large size cities in North Carolina and they all allow fast food establishments as proposed in their equivalent zoning districts. The proposed amendment is scheduled for Planning and Zoning Commission consideration on March 18 and City Council public hearing on April 10.

REQUEST BY EAST CAROLINA UNIVERSITY FOR A FIREWORKS DISPLAY ON APRIL 11, 2003 – APPROVED

City Manager Davis recommended approval of the East Carolina University request for a fireworks display on April 11, subject to approval of the Fire/Rescue Chief.

Motion was made by Council Member Craft and seconded by Council Member Little to approve the fireworks display for the East Carolina University Pigskin Pig-out on Friday, April 11, 2003. Motion carried with a vote of 5:1. Mayor Pro-Tem Miller and Council Members Dunn, Little, Glover and Craft voted in favor of the motion. Council Member Council voted in opposition.

CONSIDERATION OF ISSUANCE RESOLUTION FOR \$13,100,000 GENERAL OBLIGATION REFUNDING BONDS – ADOPTED

Mayor Parrott introduced the following resolution, a copy of which had been provided to each Council Member and which was read by title.

“COPY”

RESOLUTION NO. 03-13 RESOLUTION PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2003

BE IT RESOLVED by the City Council of the City of Greenville:

Section 1. The City Council has determined and does hereby find, declare and represent:

(a) That an order authorizing not to exceed \$13,100,000 General Obligation Refunding Bonds was adopted by the City Council of the City of Greenville on February 24, 2003, which order has taken effect.

(b) That none of the bonds mentioned in paragraph (a) of this Section 1 has been issued, that no notes have been issued in anticipation of the receipt of the proceeds of the sale of said bonds, and that it is necessary to issue at this time \$12,225,000 principal amount of said bonds in accordance with the provisions of Section 2 of this resolution and subject to adjustment as set forth herein.

(c) That the shortest period of time in which the debt of said City to be refunded by the issuance of said bonds can be finally paid without making it unduly burdensome on the taxpayers of said City, as determined by the Local Government Commission of North Carolina (the "LGC"), is a period which expires on March 1, 2013.

Section 2. Pursuant to said order, there shall be issued bonds of the City of Greenville, North Carolina (the "City") in the aggregate principal amount of \$12,225,000, designated "General Obligation Refunding Bonds, Series 2003" and dated April 1, 2003 (the "Bonds"). The Bonds shall be stated to mature (subject to the right of adjustment as hereinafter set forth) annually, March 1, \$1,605,000 2004, \$1,520,000 2005, \$1,480,000 2006, \$1,435,000 2007, \$1,400,000 2008, \$1,370,000 2009, \$1,340,000 2010, \$1,315,000 2011, \$500,000 2012 and \$260,000 2013, and shall bear interest at a rate or rates to be determined by the LGC at the time the Bonds are sold, which interest to the respective maturities thereof shall be payable on September 1, 2003 and semiannually thereafter on March 1 and September 1 of each year until payment of such principal sum. Notwithstanding the foregoing, the City reserves the right to increase or decrease the aggregate principal amount of the Bonds by not more than \$875,000 and the principal amount of each maturity of the Bonds by not more than \$150,000. The Director of Financial Services of the City is hereby authorized and directed to make any such increase or decrease, if appropriate, on behalf of the City.

Each Bond shall bear interest from the interest payment date next preceding the date on which it is authenticated unless it is (a) authenticated upon an interest payment date in which event it shall bear interest from such interest payment date or (b) authenticated prior to the first interest payment date in which event it shall bear interest from its date; provided, however, that if at the time of authentication interest is in default, such Bond shall bear interest from the date to which interest has been paid.

The principal of and the interest on the Bonds shall be payable in any coin or currency of the United States of America which is legal tender for the payment of public and private debts on the respective dates of payment thereof.

The Bonds will be issued by means of a book-entry system with no physical distribution of Bond certificates to be made except as hereinafter provided. One fully-registered Bond certificate for each stated maturity of the Bonds, registered in the name of Cede & Co., the nominee of The Depository Trust Company, New York, New York ("DTC"), or such other name

as may be requested by an authorized representative of DTC, will be issued and required to be deposited with DTC and immobilized in its custody. The book-entry system will evidence beneficial ownership of the Bonds in the principal amount of \$5,000 or any multiple thereof, with transfers of ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC and its participants. The principal of each Bond shall be payable to Cede & Co. or any other person appearing on the registration books of the City hereinafter provided for as the registered owner of such Bond or his registered assigns or legal representative at the office of the Bond Registrar mentioned hereinafter or such other place as the City may determine upon the presentation and surrender thereof as the same shall become due and payable. Payment of the interest on each Bond shall be made by the Bond Registrar on each interest payment date to the registered owner of such Bond (or the previous Bond or Bonds evidencing the same debt as that evidenced by such Bond) at the close of business on the record date for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding such interest payment date, by check mailed to such person at his address as it appears on such registration books. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC, and transfer of principal and interest payments to beneficial owners of the Bonds by participants of DTC will be the responsibility of such participants and other nominees of such beneficial owners. The City will not be responsible or liable for such transfers of payments or for maintaining, supervising or reviewing records maintained by DTC, its participants or persons acting through such participants.

In the event that (a) DTC determines not to continue to act as securities depository for the Bonds or (b) the Director of Financial Services of the City determines that continuation of the book-entry system of evidence and transfer of ownership of the Bonds would adversely affect the interests of the beneficial owners of the Bonds, the City will discontinue the book-entry system with DTC. If the City identifies another qualified securities depository to replace DTC, the City will make arrangements with DTC and such other depository to effect such replacement and deliver replacement Bonds registered in the name of such other depository or its nominee in exchange for the outstanding Bonds, and the references to DTC or Cede & Co. in this resolution shall thereupon be deemed to mean such other depository or its nominee. If the City fails to identify another qualified securities depository to replace DTC, the City will deliver replacement Bonds in the form of fully-registered certificates in the denomination of \$5,000 or any multiple thereof ("Certificated Bonds") in exchange for the outstanding Bonds as required by DTC and others. Upon the request of DTC, the City may also deliver one or more Certificated Bonds to any participant of DTC in exchange for Bonds credited to its account with DTC.

Unless indicated otherwise, the provisions of this resolution that follow shall apply to all Bonds issued or issuable hereunder, whether initially or in replacement thereof.

Section 3. The Bonds shall bear the manual or facsimile signatures of the Mayor, Mayor Pro Tem or City Manager and the City Clerk or any Deputy City Clerk of the City and the corporate seal or a facsimile of the corporate seal of the City shall be impressed or printed, as the case may be, on the Bonds.

The certificate of the LGC to be endorsed on all Bonds shall bear the manual or facsimile signature of the Secretary of the LGC or any assistant designated by her, and the certificate of

authentication of the Bond Registrar to be endorsed on all Bonds shall be executed as provided hereinafter.

In case any officer of the City or the LGC whose manual or facsimile signature shall appear on any Bonds shall cease to be such officer before the delivery of such Bonds, such manual or facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery, and any Bond may bear the manual or facsimile signatures of such persons as at the actual time of the execution of such Bond shall be the proper officers to sign such Bond although at the date of such Bond such persons may not have been such officers.

No Bond shall be valid or become obligatory for any purpose or be entitled to any benefit or security under this resolution until it shall have been authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed thereon.

The Bonds to be registered in the name of Cede & Co. or any other nominee designated by an authorized representative of DTC and the endorsements thereon shall be in substantially the following forms:

No. R-		\$.....
	United States of America	
	State of North Carolina	
	County of Pitt	
	CITY OF GREENVILLE	
	GENERAL OBLIGATION REFUNDING BOND, SERIES 2003	
<u>Maturity Date</u>	<u>Interest Rate</u>	<u>CUSIP</u>
March 1, 20..%

The City of Greenville, North Carolina (the "City"), a municipal corporation located in the County of Pitt, North Carolina, is justly indebted and, for value received, hereby promises to pay to

CEDE & CO.

or registered assigns or legal representative on the date specified above, upon the presentation and surrender hereof, at the office of the Director of Financial Services of the City (the "Bond Registrar"), 201 Martin Luther King Jr. Drive, Greenville, North Carolina, the principal sum of

..... DOLLARS

and to pay interest on such principal sum from the date hereof or from the March 1 or September 1 next preceding the date of authentication to which interest shall have been paid, unless such date of authentication is a March 1 or September 1 to which interest shall have been paid, in which case from such date, such interest to the maturity hereof being payable on September 1, 2003 and semiannually thereafter on March 1 and September 1 in each year, at the rate per annum specified above, until payment of such principal sum. The interest so payable on any such interest payment date will be paid to the person in whose name this bond (or the previous bond or bonds evidencing the same debt as that evidenced by this bond) is registered at the close

of business on the record date for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding such interest payment date, by check mailed to such person at his address as it appears on the bond registration books of the City. Both the principal of and the interest on this Bond shall be paid in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof. For the prompt payment hereof, both principal and interest as the same shall become due, the faith and credit of the City are hereby irrevocably pledged.

This bond is one of an issue of bonds designated "General Obligation Refunding Bonds, Series 2003" (the "Bonds") and issued by the City for the purpose of providing funds, together with any other available funds, for refunding all of the City's outstanding Public Improvement Bonds, Series 1993, dated September 1, 1993, and all of the City's outstanding Sanitary Sewer Bonds, Series 1993, dated September 1, 1993, and paying related costs, and this bond is issued under and pursuant to The Local Government Bond Act, as amended, Article 7, as amended, of Chapter 159 of the General Statutes of North Carolina, an order adopted by the City Council of the City, which order has taken effect, and a resolution duly passed by said City Council (the "Resolution").

The Bonds are not subject to redemption prior to their respective maturities.

The Bonds are being issued by means of a book-entry system with no physical distribution of bond certificates to be made except as provided in the Resolution. One Bond certificate with respect to each date on which the Bonds are stated to mature, in the aggregate principal amount of the Bonds stated to mature on such date and registered in the name of Cede & Co., a nominee of DTC, is being issued and required to be deposited with DTC and immobilized in its custody. The book-entry system will evidence ownership of the Bonds in the principal amount of \$5,000 or any multiple thereof, with transfers of ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC and its participants. Transfer of principal, interest and any redemption premium payments to participants of DTC will be the responsibility of DTC, and transfer of principal, interest and any redemption premium payments to beneficial owners of the Bonds by participants of DTC will be the responsibility of such participants and other nominees of such beneficial owners. The City will not be responsible or liable for such transfers of payments or for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

In certain events, the City will be authorized to deliver replacement Bonds in the form of fully-registered certificates in the denomination of \$5,000 or any multiple thereof in exchange for the outstanding Bonds as provided in the Resolution.

At the office of the Bond Registrar, in the manner and subject to the conditions provided in the Resolution, Bonds may be exchanged for an equal aggregate principal amount of Bonds of the same maturity, of authorized denominations and bearing interest at the same rate.

The Bond Registrar shall keep at his or her office the books of said City for the registration of transfer of Bonds. The transfer of this Bond may be registered only upon such books and as otherwise provided in the Resolution upon the surrender hereof to the Bond

Registrar together with an assignment duly executed by the registered owner hereof or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar. Upon any such registration of transfer, the Bond Registrar shall deliver in exchange for this Bond a new Bond or Bonds, registered in the name of the transferee, of authorized denominations, in an aggregate principal amount equal to the unredeemed principal amount of this Bond, of the same maturity and bearing interest at the same rate.

It is hereby certified and recited that all acts, conditions and things required by the Constitution and laws of North Carolina to happen, exist and be performed precedent to and in the issuance of this Bond have happened, exist and have been performed in regular and due form and time as so required; that provision has been made for the levy and collection of a direct annual tax upon all taxable property within the City of Greenville sufficient to pay the principal of and the interest on this Bond as the same shall become due; and that the total indebtedness of the City, including this Bond, does not exceed any constitutional or statutory limitation thereon.

This Bond shall not be valid or become obligatory for any purpose or be entitled to any benefit or security under the Resolution until this Bond shall have been authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed hereon.

IN WITNESS WHEREOF, the City, by resolution duly passed by its City Council, has caused this bond [to be manually signed by] [to bear the facsimile signatures of] its [Mayor] [Mayor Pro Tem] [City Manager] and its City Clerk and [a facsimile of] its official seal to be [printed] [impressed] hereon, all as of the 1st day of April, 2003.

[Title]

City Clerk

CERTIFICATE OF LOCAL GOVERNMENT COMMISSION

The issuance of the within bond has been approved under the provisions of The Local Government Bond Act of North Carolina.

Secretary, Local Government Commission

CERTIFICATE OF AUTHENTICATION

This bond is one of the Bonds of the series designated herein and issued under the provisions of the within-mentioned Resolution.

Director of Financial Services of the City of
Greenville, North Carolina,
as Bond Registrar

By _____
Authorized Signatory

Date of authentication: _____

ASSIGNMENT

FOR VALUE RECEIVED the undersigned registered owner thereof hereby sells, assigns and transfers unto _____

_____ the within bond and all rights thereunder and hereby irrevocably constitutes and appoints _____ attorney to register the transfer of said bond on the books kept for registration thereof, with full power of substitution in the premises.

Date: _____

Signature Guaranteed:

NOTICE: The assignor's signature to this assignment must correspond with the name as it appears upon the face of the within bond in every particular, without alteration or enlargement or any change whatever.

NOTICE: Signature(s) must be guaranteed by an institution which is a participant in the Securities Transfer Agent Medallion Program (STAMP) or similar program.

Certificated Bonds issuable hereunder shall be in substantially the form of the Bonds registered in the name of Cede & Co. with such changes as are necessary to reflect the provisions of this resolution that are applicable to Certificated Bonds.

Section 4. The Bonds will not be subject to redemption prior to their respective maturities.

Section 5. Bonds, upon surrender thereof at the office of the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar, may, at the option of the registered owner thereof, be exchanged for an equal aggregate principal amount of Bonds of the same maturity, of any denomination or denominations authorized by this resolution and bearing interest at the same rate.

The transfer of any Bond may be registered only upon the registration books of the City upon the surrender thereof to the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in such form as shall be satisfactory to

the Bond Registrar. Upon any such registration of transfer, the Bond Registrar shall authenticate and deliver in exchange for such Bond a new Bond or Bonds, registered in the name of the transferee, of any denomination or denominations authorized by this resolution, in an aggregate principal amount equal to the unredeemed principal amount of such Bond so surrendered, of the same maturity and bearing interest at the same rate.

In all cases in which Bonds shall be exchanged or the transfer of Bonds shall be registered hereunder, the Bond Registrar shall authenticate and deliver at the earliest practicable time Bonds in accordance with the provisions of this resolution. All Bonds surrendered in any such exchange or registration of transfer shall forthwith be cancelled by the Bond Registrar. The City or the Bond Registrar may make a charge for shipping and out-of-pocket costs for every such exchange or registration of transfer of Bonds sufficient to reimburse it for any tax or other governmental charge required to be paid with respect to such exchange or registration of transfer, but no other charge shall be made by the City or the Bond Registrar for exchanging or registering the transfer of Bonds under this resolution.

As to any Bond, the person in whose name the same shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal of any such Bond and the interest on any such Bond shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond, including the interest thereon, to the extent of the sum or sums so paid.

The City shall appoint such registrars, transfer agents, depositaries or other agents as may be necessary for the registration, registration of transfer and exchange of Bonds within a reasonable time according to then current commercial standards and for the timely payment of principal of and interest on the Bonds. The Director of Financial Services of the City is hereby appointed the registrar, transfer agent and paying agent for the Bonds (collectively the "Bond Registrar"), subject to the right of the governing body of the City to appoint another Bond Registrar, and as such shall keep at her office the books of the City for the registration, registration of transfer, exchange and payment of the Bonds as provided in this resolution.

Section 6. The City covenants that, to the extent permitted by the Constitution and laws of the State of North Carolina, it will comply with the requirements of the Internal Revenue Code of 1986, as amended, except to the extent that the City obtains an opinion of bond counsel to the effect that noncompliance would not result in interest on the Bonds being includable in the gross income of the owners of the Bonds for purposes of federal income taxation.

Section 7. The City hereby undertakes, for the benefit of the beneficial owners of the Bonds, to provide:

- (a) by not later than seven months from the end of each fiscal year of the City, to each nationally recognized municipal securities information repository ("NRMSIR") and to the state information depository for the State of North Carolina ("SID"), if any, audited financial statements of the City for such fiscal year, if available, prepared in accordance with Section 159-34 of the General Statutes of North Carolina, as it may be amended from time to time, or any successor statute, or, if such audited financial

statements of the City are not available by seven months from the end of such fiscal year, unaudited financial statements of the City for such fiscal year to be replaced subsequently by audited financial statements of the City to be delivered within 15 days after such audited financial statements become available for distribution;

(b) by not later than seven months from the end of each fiscal year of the City, to each NRMSIR, and to the SID, if any, (i) the financial and statistical data as of a date not earlier than the end of the preceding fiscal year for the type of information included under the heading “The City-Debt Information and - Tax Information” in the Official Statement relating to the Bonds (excluding any information on overlapping units) and (ii) the combined budget of the City for the current fiscal year, to the extent such items are not included in the financial statements referred to in (a) above;

(c) in a timely manner, to each NRMSIR or to the Municipal Securities Rulemaking Board (“MSRB”), and to the SID, if any, notice of any of the following events with respect to the Bonds, if material:

- (1) principal and interest payment delinquencies;
- (2) non-payment related defaults;
- (3) unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) substitution of credit or liquidity providers, or their failure to perform;
- (6) adverse tax opinions or events affecting the tax-exempt status of the Bonds;
- (7) modification to the rights of the beneficial owners of the Bonds;
- (8) bond calls;
- (9) defeasances;
- (10) release, substitution or sale of any property securing repayment of the Bonds; and
- (11) rating changes; and

(d) in a timely manner, to each NRMSIR or to the MSRB, and to the SID, if any, notice of a failure of the City to provide required annual financial information described in (a) or (b) above on or before the date specified.

If the City fails to comply with the undertaking described above, any beneficial owner of the Bonds then outstanding may take action to protect and enforce the rights of all beneficial owners with respect to such undertaking, including an action for specific performance; provided, however, that failure to comply with such undertaking shall not be an event of default and shall not result in any acceleration of payment of the Bonds.

The City reserves the right to modify from time to time the information to be provided to the extent necessary or appropriate in the judgment of the City, provided that:

- (a) any such modification may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature, or status of the City;
- (b) the information to be provided, as modified, would have complied with the requirements of Rule 15c2-12 issued under the Securities Exchange Act of 1934 ("Rule 15c2-12") as of the date of the Official Statement, after taking into account any amendments or interpretations of Rule 15c2-12, as well as any changes in circumstances; and
- (c) any such modification does not materially impair the interests of the beneficial owners, as determined either by parties unaffiliated with the City (such as bond counsel), or by approving vote of the registered owners of not less than a majority in principal amount of the Bonds then outstanding pursuant to the terms of this bond resolution, as it may be amended from time to time.

The City agrees that the annual financial information containing the amended operating data or financial information will explain, in narrative form, the reasons for the amendments and the impact of the change in the type of operating data or financial information being provided.

The provisions of this Section 8 shall terminate upon payment, or provision having been made for payment in a manner consistent with Rule 15c2-12, in full of the principal of and interest on all of the Bonds.

Section 8. The action of the Director of Financial Services of the City in applying to the LGC to advertise and sell the Bonds and the action of the LGC in asking for sealed bids for the Bonds by publishing a notice of sale and printing and distributing a Preliminary Official Statement relating to the sale of the Bonds are hereby ratified and approved. Such Preliminary Official Statement, dated March 7, 2003 and substantially in the form presented at this meeting, is hereby approved, and the Mayor, the City Manager and the Director of Financial Services of the City are each hereby authorized to approve the Official Statement, in substantially the form of the Preliminary Official Statement, including changes necessary to reflect the interest rates on the Bonds, the offering prices of the Bonds and any credit enhancement for the Bonds purchased by the successful bidder, and to execute such Official Statement for and on behalf of the City.

Section 9. Deutsche Bank National Trust Company is hereby appointed as escrow agent in connection with the refunding of the bonds to be refunded by the issuance of the Bonds (the "Escrow Agent"), subject to the right of the governing body of the City to appoint another

Escrow Agent as provided in the Escrow Deposit Agreement hereinafter mentioned, and as such shall perform its responsibilities as provided in such Escrow Deposit Agreement. Such Escrow Deposit Agreement, substantially in the form of the draft thereof presented at this meeting, and the creation of the Escrow Fund and the other arrangements described therein to accomplish such refunding are hereby approved, and the Director of Financial Services is hereby authorized to approve such changes in such Escrow Deposit Agreement as are necessary or desirable and to execute such Escrow Deposit Agreement and any forward purchase agreement, forward float agreement or similar arrangement entered into in connection with the contemplated refunding for and on behalf of the City.

Section 10. This resolution shall take effect upon its passage.

Adopted this 13th day of March, 2003.

“COPY”

Motion was made by Council Member Little and seconded by Mayor Pro-Tem Miller to adopt a resolution providing for the issuance of the \$13,100,000 General Obligation Refunding Bonds. Motion carried unanimously. (Resolution No. 03-13)

CONSIDERATION OF ISSUANCE RESOLUTION FOR \$1,250,000 PUBLIC IMPROVEMENT BONDS – ADOPTED

Mayor Parrott introduced the following resolution, a copy of which had been provided to each Council Member and which was read by title:

“COPY”

RESOLUTION NO. 03-14
RESOLUTION PROVIDING FOR THE ISSUANCE OF \$1,250,000
GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS, SERIES 2003

BE IT RESOLVED by the City Council of the City of Greenville:

Section 1. The City Council has determined and does hereby find, declare and represent:

(a) That an order authorizing \$1,250,000 Public Improvement Bonds was adopted by the City Council of the City of Greenville on February 24, 2003, which order has taken effect.

(b) That none of said bonds has heretofore been issued, that no notes have been issued in anticipation of the receipt of the proceeds of the sale of said bonds, and that it is necessary to issue at this time all of said bonds.

(c) That the bonds shall be designated for purposes of sale “General Obligation Public Improvement Bonds, Series 2003”.

(d) That the maximum period of usefulness of the improvements to be undertaken with the proceeds of said bonds is estimated as a period of 20 years from April 1, 2003, the date of said bonds as hereinafter provided, and that such period expires on April 1, 2023.

Section 2. Pursuant to said order, there shall be issued bonds of the City of Greenville, North Carolina (the "City") in the aggregate principal amount of \$1,250,000, designated "General Obligation Public Improvement Bonds, Series 2003" and dated April 1, 2003 (the "Bonds"). The Bonds shall be stated to mature (subject to the right of prior redemption as hereinafter set forth) annually, June 1, \$70,000 2004 to 2019, inclusive, and \$65,000 2020 and 2021, and shall bear interest at a rate or rates to be determined by the Local Government Commission of North Carolina (the "LGC") at the time the Bonds are sold, which interest to the respective maturities thereof shall be payable on December 1, 2003 and semiannually thereafter on June 1 and December 1 of each year until payment of such principal sum.

Each Bond shall bear interest from the interest payment date next preceding the date on which it is authenticated unless it is (a) authenticated upon an interest payment date in which event it shall bear interest from such interest payment date or (b) authenticated prior to the first interest payment date in which event it shall bear interest from its date; provided, however, that if at the time of authentication interest is in default, such Bond shall bear interest from the date to which interest has been paid.

The principal of and the interest and any redemption premium on the Bonds shall be payable in any coin or currency of the United States of America which is legal tender for the payment of public and private debts on the respective dates of payment thereof.

The Bonds will be issued by means of a book-entry system with no physical distribution of Bond certificates to be made except as hereinafter provided. One fully-registered Bond certificate for each stated maturity of the Bonds, registered in the name of Cede & Co., the nominee of The Depository Trust Company, New York, New York ("DTC"), will be issued and required to be deposited with DTC and immobilized in its custody. The book-entry system will evidence beneficial ownership of the Bonds in the principal amount of \$5,000 or any multiple thereof, with transfers of ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC and its participants. The principal of and any redemption premium on each Bond shall be payable to Cede & Co. or any other person appearing on the registration books of the City hereinafter provided for as the registered owner of such Bond or his registered assigns or legal representative at such office of the Bond Registrar mentioned hereinafter or such other place as the City may determine upon the presentation and surrender thereof as the same shall become due and payable. Payment of the interest on each Bond shall be made by the Bond Registrar on each interest payment date to the registered owner of such Bond (or the previous Bond or Bonds evidencing the same debt as that evidenced by such Bond) at the close of business on the record date for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding such interest payment date, by check mailed to such person at his address as it appears on such registration books. Transfer of principal, interest and any redemption premium payments to participants of DTC will be the responsibility of DTC, and transfer of principal, interest and any redemption premium payments to beneficial owners of the Bonds by participants of DTC will be the responsibility of such participants and other nominees of such beneficial owners. The City will not be responsible

or liable for such transfers of payments or for maintaining, supervising or reviewing records maintained by DTC, its participants or persons acting through such participants.

In the event that (a) DTC determines not to continue to act as securities depository for the Bonds or (b) the Director of Financial Services of the City determines that continuation of the book-entry system of evidence and transfer of ownership of the Bonds would adversely affect the interests of the beneficial owners of the Bonds, the City will discontinue the book-entry system with DTC. If the City identifies another qualified securities depository to replace DTC, the City will make arrangements with DTC and such other depository to effect such replacement and deliver replacement Bonds registered in the name of such other depository or its nominee in exchange for the outstanding Bonds, and the references to DTC or Cede & Co. in this resolution shall thereupon be deemed to mean such other depository or its nominee. If the City fails to identify another qualified securities depository to replace DTC, the City will deliver replacement Bonds in the form of fully-registered certificates in the denomination of \$5,000 or any multiple thereof ("Certificated Bonds") in exchange for the outstanding Bonds as required by DTC and others. Upon the request of DTC, the City may also deliver one or more Certificated Bonds to any participant of DTC in exchange for Bonds credited to its account with DTC.

Unless indicated otherwise, the provisions of this resolution that follow shall apply to all Bonds issued or issuable hereunder, whether initially or in replacement thereof.

Section 3. The Bonds shall bear the manual or facsimile signatures of the Mayor, Mayor Pro Tem or City Manager and the City Clerk of the City and the corporate seal or a facsimile of the corporate seal of the City shall be impressed or printed, as the case may be, on the Bonds.

The certificate of the LGC to be endorsed on all Bonds shall bear the manual or facsimile signature of the Secretary of said Commission and the certificate of authentication of the Bond Registrar to be endorsed on all Bonds shall be executed as provided hereinafter.

In case any officer of the City or the LGC whose manual or facsimile signature shall appear on any Bonds shall cease to be such officer before the delivery of such Bonds, such manual or facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery, and any Bond may bear the manual or facsimile signatures of such persons as at the actual time of the execution of such Bond shall be the proper officers to sign such Bond although at the date of such Bond such persons may not have been such officers.

No Bond shall be valid or become obligatory for any purpose or be entitled to any benefit or security under this resolution until it shall have been authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed thereon.

The Bonds to be registered in the name of Cede & Co. and the endorsements thereon shall be in substantially the following forms:

No. R-

\$.....

United States of America
State of North Carolina
County of Pitt

CITY OF GREENVILLE
GENERAL OBLIGATION PUBLIC IMPROVEMENT BOND,
SERIES 2003

<u>Maturity Date</u>	<u>Interest Rate</u>	<u>CUSIP</u>
June 1, 20..%

The City of Greenville, North Carolina (the “City”), a municipal corporation located in the County of Pitt, North Carolina, is justly indebted and, for value received, hereby promises to pay to

CEDE & CO.

or registered assigns or legal representative on the date specified above, upon the presentation and surrender hereof, at the office of the Director of Financial Services of the City (the “Bond Registrar”), 201 Martin Luther King Jr. Drive, Greenville, North Carolina, the principal sum of

..... DOLLARS

and to pay interest on such principal sum from the date hereof or from the June 1 or December 1 next preceding the date of authentication to which interest shall have been paid, unless such date of authentication is a June 1 or December 1 to which interest shall have been paid, in which case from such date, such interest to the maturity hereof being payable on December 1, 2003 and semiannually thereafter on June 1 and December 1 in each year, at the rate per annum specified above, until payment of such principal sum. The interest so payable on any such interest payment date will be paid to the person in whose name this bond (or the previous bond or bonds evidencing the same debt as that evidenced by this bond) is registered at the close of business on the record date for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding such interest payment date, by check mailed to such person at his address as it appears on the bond registration books of the City. Both the principal of and the interest on this Bond shall be paid in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof. For the prompt payment hereof, both principal and interest as the same shall become due, the faith and credit of the City are hereby irrevocably pledged.

This bond is one of an issue of bonds designated “General Obligation Public Improvement Bonds, Series 2003” (the “Bonds”) and issued by the City for the purpose of providing funds, together with any other available funds, for portions of the costs of certain capital projects, including providing designs for a new City Hall, improving an existing city cemetery and acquiring and developing property adjacent thereto for such purpose and rebuilding a portion of a park and recreational facility known as the River Park North Science and Nature Center, and this bond is issued under and pursuant to The Local Government Bond Act, as

amended, Article 7, as amended, of Chapter 159 of the General Statutes of North Carolina, an order adopted by the City Council of the City, which order has taken effect, and a resolution duly passed by said City Council (the "Resolution").

The Bonds maturing prior to June 1, 2014 are not subject to redemption prior to maturity. The Bonds maturing on June 1, 2014 and thereafter may be redeemed, at the option of the City, from any moneys that may be made available for such purpose, either in whole or in part on any date not earlier than June 1, 2013, at the following redemption prices (expressed as a percentage of the principal amount of Bonds to be redeemed): if redeemed during the period from June 1, 2013 to May 31, 2014, 101%, and, if redeemed thereafter, 100%, plus interest accrued on such Bonds to the date fixed for redemption.

If less than all of the Bonds of any one maturity shall be called for redemption, the particular Bonds or portions of Bonds of such maturity to be redeemed shall be selected by lot by the City in such manner as the City in its discretion may determine; provided, however, that the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or some multiple thereof and that, in selecting Bonds for redemption, each Bond shall be considered as representing that number of Bonds which is obtained by dividing the principal amount of such Bond by \$5,000. So long as a book-entry system with The Depository Trust Company, New York, New York ("DTC"), is used for determining beneficial ownership of Bonds, if less than all of the Bonds within a maturity are to be redeemed, DTC shall determine by lot the amount of the interest of each DTC direct participant in the Bonds to be redeemed. If less than all of the Bonds then subject to redemption shall be called for redemption, the particular maturities of Bonds or portions thereof to be redeemed shall be determined by the City.

Not more than sixty (60) nor less than thirty (30) days before the redemption date of any Bonds to be redeemed, whether such redemption be in whole or in part, the City shall cause a notice of such redemption to be filed with the Bond Registrar and given by certified or registered mail to Cede & Co. at its address appearing upon the registration books of the City. On the date fixed for redemption, notice having been given as aforesaid, the Bonds or portions thereof so called for redemption shall be due and payable at the redemption price provided for the redemption of such Bonds or portions thereof on such date plus accrued interest to such date and, if moneys for payment of such redemption price and the accrued interest have been deposited by the City as provided in the Resolution, interest on the Bonds or the portions thereof so called for redemption shall cease to accrue. If a portion of this Bond shall be called for redemption, a new Bond or Bonds in principal amount equal to the unredeemed portion hereof, of the same maturity, of any authorized denomination or denominations and bearing interest at the same rate will be issued to Cede & Co. or its legal representative upon the surrender hereof.

The Bonds are being issued by means of a book-entry system with no physical distribution of bond certificates to be made except as provided in the Resolution. One Bond certificate with respect to each date on which the Bonds are stated to mature, in the aggregate principal amount of the Bonds stated to mature on such date and registered in the name of Cede & Co., a nominee of DTC, is being issued and required to be deposited with DTC and immobilized in its custody. The book-entry system will evidence ownership of the Bonds in the principal amount of \$5,000 or any multiple thereof, with transfers of ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC and its

participants. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC, and transfer of principal and interest payments to beneficial owners of the Bonds by participants of DTC will be the responsibility of such participants and other nominees of such beneficial owners. The City will not be responsible or liable for such transfers of payments or for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

In certain events, the City will be authorized to deliver replacement Bonds in the form of fully-registered certificates in the denomination of \$5,000 or any multiple thereof in exchange for the outstanding Bonds as provided in the Resolution.

At the office of the Bond Registrar, in the manner and subject to the conditions provided in the Resolution, Bonds may be exchanged for an equal aggregate principal amount of Bonds of the same maturity, of authorized denominations and bearing interest at the same rate.

The Bond Registrar shall keep at her office the books of said City for the registration of transfer of Bonds. The transfer of this Bond may be registered only upon such books and as otherwise provided in the Resolution upon the surrender hereof to the Bond Registrar together with an assignment duly executed by the registered owner hereof or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar. Upon any such registration of transfer, the Bond Registrar shall deliver in exchange for this Bond a new Bond or Bonds, registered in the name of the transferee, of authorized denominations, in an aggregate principal amount equal to the unpaid principal amount of this Bond, of the same maturity and bearing interest at the same rate.

It is hereby certified and recited that all acts, conditions and things required by the Constitution and laws of North Carolina to happen, exist and be performed precedent to and in the issuance of this Bond have happened, exist and have been performed in regular and due form and time as so required; that provision has been made for the levy and collection of a direct annual tax upon all taxable property within the City of Greenville sufficient to pay the principal of and the interest on this Bond as the same shall become due; and that the total indebtedness of the City, including this Bond and all other indebtedness heretofore contracted in the fiscal year in which this Bond is issued, does not exceed any constitutional or statutory limitation thereon.

This Bond shall not be valid or become obligatory for any purpose or be entitled to any benefit or security under the Resolution until this Bond shall have been authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed hereon.

IN WITNESS WHEREOF, the City, by resolution duly passed by its City Council, has caused this bond [to be manually signed by] [to bear the facsimile signatures of] its [Mayor] [Mayor Pro Tem] [City Manager] and its City Clerk and [a facsimile of] its official seal to be [printed] [impressed] hereon, all as of the 1st day of April, 2003.

[Title]

City Clerk

CERTIFICATE OF LOCAL GOVERNMENT COMMISSION

The issuance of the within bond has been approved under the provisions of The Local Government Bond Act of North Carolina.

Secretary, Local Government Commission

CERTIFICATE OF AUTHENTICATION

This bond is one of the Bonds of the series designated herein and issued under the provisions of the within-mentioned Resolution.

Director of Financial Services of the City of
Greenville, North Carolina,
as Bond Registrar

By _____
Authorized Signatory

Date of authentication: _____

ASSIGNMENT

FOR VALUE RECEIVED the undersigned registered owner thereof hereby sells, assigns
and transfers unto _____

_____ the within bond
and all rights thereunder and hereby irrevocably constitutes and
appoints _____

attorney to register the transfer of said bond on the books kept for registration thereof, with full
power of substitution in the premises.

Date: _____

Signature Guaranteed:

NOTICE: The assignor's signature to this
assignment must correspond with the name as
it appears upon the face of the within bond in
every particular, without alteration or
enlargement or any change whatever.

NOTICE: Signature(s) must be guaranteed by an institution which is a participant in the Securities Transfer Agent Medallion Program (STAMP) or similar program.

Certificated Bonds issuable hereunder shall be in substantially the form of the Bonds registered in the name of Cede & Co. with such changes as are necessary to reflect the provisions of this resolution that are applicable to Certificated Bonds.

Section 4. The Bonds maturing prior to June 1, 2014 will not be subject to redemption prior to maturity. The Bonds maturing on June 1, 2014 and thereafter will be redeemable, at the option of the City, from any moneys that may be made available for such purpose, either in whole or in part on any date not earlier than June 1, 2013, at the following redemption prices (expressed as a percentage of the principal amount of Bonds to be redeemed): if redeemed during the period from June 1, 2013 to May 31, 2014, 101%, and, if redeemed thereafter, 100%, plus interest accrued on such Bonds to the date fixed for redemption.

If less than all of the Bonds of any one maturity shall be called for redemption, the particular Bonds or portions of Bonds of such maturity to be redeemed shall be selected by lot by the City in such manner as the City in its discretion may determine; provided, however, that the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or some multiple thereof and that, in selecting Bonds for redemption, each Bond shall be considered as representing that number of Bonds which is obtained by dividing the principal amount of such Bond by \$5,000; provided further, however, that so long as a book-entry system with DTC is used for determining beneficial ownership of Bonds, if less than all of the Bonds within a maturity are to be redeemed, DTC shall determine by lot the amount of the interest of each DTC direct participant in the Bonds to be redeemed. If less than all of the Bonds then subject to redemption shall be called for redemption, the particular maturities of the Bonds or portions thereof to be redeemed shall be determined by the City.

Not more than sixty (60) nor less than thirty (30) days before the redemption date of any Bonds to be redeemed, whether such redemption be in whole or in part, the City shall cause a notice of such redemption to be filed with the Bond Registrar and to be mailed, postage prepaid, to the registered owner of each Bond to be redeemed in whole or in part at his address appearing upon the registration books of the City, provided that such notice to Cede & Co. shall be given by certified or registered mail. Failure to mail such notice or any defect therein shall not affect the validity of the redemption as regards registered owners to whom such notice was given as required hereby. Each such notice shall set forth the date designated for redemption, the redemption price to be paid and the maturities of the Bonds to be redeemed. In the event that Certificated Bonds are outstanding, each such notice to the registered owners thereof shall also set forth, if less than all of the Bonds of any maturity then outstanding shall be called for redemption, the distinctive numbers and letters, if any, of such Bonds to be redeemed and, in the case of any Bond to be redeemed in part only, the portion of the principal amount thereof to be redeemed. If any Bond is to be redeemed in part only, the notice of redemption shall state also that on or after the redemption date, upon surrender of such Bond, a new Bond or Bonds in principal amount equal to the unredeemed portion of such Bond, of the same maturity, of any authorized denomination or denominations and bearing interest at the same rate will be issued.

On or before the date fixed for redemption, moneys shall be deposited with the Bond Registrar to pay the principal of and the redemption premium, if any, on the Bonds or portions thereof called for redemption as well as the interest accruing thereon to the redemption date thereof.

On the date fixed for redemption, notice having been given in the manner and under the conditions hereinabove provided, the Bonds or portions thereof called for redemption shall be due and payable at the redemption price provided therefor, plus accrued interest to such date. If moneys sufficient to pay the redemption price of the Bonds or portions thereof to be redeemed, plus accrued interest thereon to the date fixed for redemption, have been deposited by the City to be held in trust for the registered owners of Bonds or portions thereof to be redeemed, interest on the Bonds or portions thereof called for redemption shall cease to accrue, such Bonds or portions thereof shall cease to be entitled to any benefits or security under this resolution or to be deemed outstanding, and the registered owners of such Bonds or portions thereof shall have no rights in respect thereof except to receive payment of the redemption price thereof, plus accrued interest to the date of redemption.

If a portion of a Bond shall be selected for redemption, the registered owner thereof or his attorney or legal representative shall present and surrender such Bond to the Bond Registrar for payment of the principal amount thereof so called for redemption and the redemption premium, if any, on such principal amount, and the Bond Registrar shall authenticate and deliver to or upon the order of such registered owner or his legal representative, without charge therefor, for the unredeemed portion of the principal amount of the Bond so surrendered, a Bond or Bonds of the same maturity, of any denomination or denominations authorized by this resolution and bearing interest at the same rate.

Section 5. Bonds, upon surrender thereof at the office of the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar, may, at the option of the registered owner thereof, be exchanged for an equal aggregate principal amount of Bonds of the same maturity, of any denomination or denominations authorized by this resolution and bearing interest at the same rate.

The transfer of any Bond may be registered only upon the registration books of the City upon the surrender thereof to the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar. Upon any such registration of transfer, the Bond Registrar shall authenticate and deliver in exchange for such Bond a new Bond or Bonds, registered in the name of the transferee, of any denomination or denominations authorized by this resolution, in an aggregate principal amount equal to the unpaid principal amount of such Bond so surrendered, of the same maturity and bearing interest at the same rate.

In all cases in which Bonds shall be exchanged or the transfer of Bonds shall be registered hereunder, the Bond Registrar shall authenticate and deliver at the earliest practicable time Bonds in accordance with the provisions of this resolution. All Bonds surrendered in any such exchange or registration of transfer shall forthwith be cancelled by the Bond Registrar. The City or the Bond Registrar may make a charge for shipping and out-of-pocket costs for every

such exchange or registration of transfer of Bonds sufficient to reimburse it for any tax or other governmental charge required to be paid with respect to such exchange or registration of transfer, but no other charge shall be made by the City or the Bond Registrar for exchanging or registering the transfer of Bonds under this resolution.

As to any Bond, the person in whose name the same shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal or redemption price of any such Bond and the interest on any such Bond shall be made only to or upon the order of the registered owner thereof or his legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond, including the redemption premium, if any, and interest thereon, to the extent of the sum or sums so paid.

The City shall appoint such registrars, transfer agents, depositaries or other agents as may be necessary for the registration, registration of transfer and exchange of Bonds within a reasonable time according to then current commercial standards and for the timely payment of principal, interest and any redemption premium with respect to the Bonds. The Director of Financial Services of the City is hereby appointed the registrar, transfer agent and paying agent for the Bonds (collectively the "Bond Registrar"), subject to the right of the governing body of the City to appoint another Bond Registrar, and as such shall keep at her office the books of the City for the registration, registration of transfer, exchange and payment of the Bonds as provided in this resolution.

Section 6. The City covenants that, to the extent permitted by the Constitution and laws of the State of North Carolina, it will comply with the requirements of the Internal Revenue Code of 1986, as amended, except to the extent that the City obtains an opinion of bond counsel to the effect that noncompliance would not result in interest on the Bonds being includable in the gross income of the owners of the Bonds for purposes of federal income taxation.

Section 7. The City hereby undertakes, for the benefit of the beneficial owners of the Bonds, to provide:

(a) by not later than seven months from the end of each fiscal year of the City, to each nationally recognized municipal securities information repository ("NRMSIR") and to the state information depository for the State of North Carolina ("SID"), if any, audited financial statements of the City for such fiscal year, if available, prepared in accordance with Section 159-34 of the General Statutes of North Carolina, as it may be amended from time to time, or any successor statute, or, if such audited financial statements of the City are not available by seven months from the end of such fiscal year, unaudited financial statements of the City for such fiscal year to be replaced subsequently by audited financial statements of the City to be delivered within 15 days after such audited financial statements become available for distribution;

(b) by not later than seven months from the end of each fiscal year of the City, to each NRMSIR, and to the SID, if any, (i) the financial and statistical data as of a date not earlier than the end of the preceding fiscal year for the type of information included under the heading "The City-Debt Information and - Tax Information" in the Official

Statement relating to the Bonds (excluding any information on overlapping units) and (ii) the combined budget of the City for the current fiscal year, to the extent such items are not included in the financial statements referred to in (a) above;

(c) in a timely manner, to each NRMSIR or to the Municipal Securities Rulemaking Board (“MSRB”), and to the SID, if any, notice of any of the following events with respect to the Bonds, if material:

- (1) principal and interest payment delinquencies;
- (2) non-payment related defaults;
- (3) unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) substitution of credit or liquidity providers, or their failure to perform;
- (6) adverse tax opinions or events affecting the tax-exempt status of the Bonds;
- (7) modification to the rights of the beneficial owners of the Bonds;
- (8) bond calls;
- (9) defeasances;
- (10) release, substitution or sale of any property securing repayment of the Bonds; and
- (11) rating changes; and

(d) in a timely manner, to each NRMSIR or to the MSRB, and to the SID, if any, notice of a failure of the City to provide required annual financial information described in (a) or (b) above on or before the date specified.

If the City fails to comply with the undertaking described above, any beneficial owner of the Bonds then outstanding may take action to protect and enforce the rights of all beneficial owners with respect to such undertaking, including an action for specific performance; provided, however, that failure to comply with such undertaking shall not be an event of default and shall not result in any acceleration of payment of the Bonds.

The City reserves the right to modify from time to time the information to be provided to the extent necessary or appropriate in the judgment of the City, provided that:

(a) any such modification may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature, or status of the City;

(b) the information to be provided, as modified, would have complied with the requirements of Rule 15c2-12 issued under the Securities Exchange Act of 1934 ("Rule 15c2-12") as of the date of the Official Statement, after taking into account any amendments or interpretations of Rule 15c2-12, as well as any changes in circumstances; and

(c) any such modification does not materially impair the interests of the beneficial owners, as determined either by parties unaffiliated with the City (such as bond counsel), or by approving vote of the registered owners of not less than a majority in principal amount of the Bonds then outstanding pursuant to the terms of this bond resolution, as it may be amended from time to time.

The City agrees that the annual financial information containing the amended operating data or financial information will explain, in narrative form, the reasons for the amendments and the impact of the change in the type of operating data or financial information being provided.

The provisions of this Section 7 shall terminate upon payment, or provision having been made for payment in a manner consistent with Rule 15c2-12, in full of the principal of and interest on all of the Bonds.

Section 8. The action of the Director of Financial Services of the City in applying to the LGC to advertise and sell the Bonds and the action of the LGC in asking for sealed bids for the Bonds by publishing a notice of sale and printing and distributing a Preliminary Official Statement relating to the sale of the Bonds are hereby ratified and approved. Such Preliminary Official Statement, dated March 7, 2003 and substantially in the form presented at this meeting, is hereby approved, and the Mayor, the City Manager and the Director of Financial Services of the City are each hereby authorized to approve the Official Statement, in substantially the form of the Preliminary Official Statement, including changes necessary to reflect the interest rates on the Bonds, the offering prices of the Bonds and any credit enhancement for the Bonds purchased by the successful bidder, and to execute such Official Statement for and on behalf of the City.

Section 9. This resolution shall take effect upon its passage.

Adopted this 13th day of March, 2003.

"COPY"

Motion was made by Council Member Little and seconded by Mayor Pro-Tem Miller to adopt a resolution providing for the issuance of the \$1,250,000 Public Improvement Bonds. Motion carried unanimously. (Resolution No. 03-14)

2003 FEMA ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM – APPROVED

Chief of Fire/Rescue Roy Spell stated that this is the third year that the Fire/Rescue Department has had an opportunity to apply for funds under the FEMA Assistance to Firefighters Grant Program. This has been received for the last two years. This year \$750 million will be available nationwide. The City has applied for this 75/25 matching grant in the amount of \$135,000 federal/\$45,000 City. The funds will be used for a teleconference system. At the present time, the same class is being taught three times, and this teleconference system would allow for it being done only once. The teleconference system is desperately needed, because 240 hours of training are required each year.

Motion was made by Council Member Council and seconded by Council Member Little to approve the application to the 2003 FEMA Assistance to Firefighters Grant Program for a teleconferencing system at the City of Greenville Fire/Rescue Headquarters Station. Motion carried unanimously.

REPORT ON FEDERAL LEGISLATIVE MEETINGS WITH REPRESENTATIVES REGARDING EARMARKING REQUESTS AND NATIONAL LEAGUE OF CITIES MEETING

City Manager Davis reported that the City Attorney, Mayor and Mayor Pro-Tem accompanied him to Washington, DC to have federal legislative meetings with representatives regarding earmarking requests.

Mayor Pro-Tem Miller stated that the meetings were very worthwhile. The legislators took time out of their busy schedules to meet with them. He feels confident that they will follow the City's appropriation bills throughout the session.

Council Member Council stated that Council Member Glover and she attended the National League of Cities meeting in Washington, DC from Saturday until Monday and it was very informative. She submitted to each Council Member a packet of information that she had put together for each one. One of the highlights was how the war in Iraq was affecting cities. The City will have serious problems and she regrets that it didn't pass the resolution on the war, which she proposed earlier in the meeting. She stated that she hopes the Council will reconsider it in the future. Council Member Council stated that she attended the diversity breakfast, where Joetta Cole from Bennett College was the keynote speaker.

Council Member Council further stated that she attended a workshop on aviation and noise. There is money available to help with noise. She also learned that airports, high-speed rail, ports, etc. need to be protected. Monies are being used to help with some of those things. Council Member Council concluded by explaining how the Alaskan Municipal League and the Alaskan Conference of Mayors talked about all the oil that is in the United States and that citizens can rely solely on that oil and not need any from other countries.

Council Member Glover stated that she didn't get to stay for Lobby Day. She stated that she will not support anything that is happening here until changes are made. There is a lot of information out there about COPS. She attended a session on safe communities. It is hard for the Weed and

Seed to get money, but the community will kick in and get the paperwork together so Weed and Seed can work. She attended some of the other meetings. She attended a lot of meetings on law enforcement. She hopes that some of the things that were brought back will be given to the Police Chief.

City Attorney Holec stated that he attended both the trip to talk with the legislators and the National League of Cities conference. Both trips were beneficial. At the conference, there were some first-rate speakers on the agenda.

AUTHORIZATION OF GRANT AGREEMENT FOR NORTH CAROLINA DEPARTMENT OF TRANSPORTATION ENHANCEMENT PROJECT FOR MEDICAL AREA - APPROVED

City Manager Davis reminded the Council that it authorized a grant application to be made to the North Carolina Department of Transportation for sidewalks, bus shelters, and streetscape improvements in the medical district area. The original grant application was \$300,000 with the \$75,000 match to be provided by the Hospital. Notice has been received that a grant of \$133,600 has been awarded, which will have a match requirement of \$33,400 that will be provided by the Hospital. The grant will provide for the cost of sidewalks on both sides of Stantonsburg Road from Arlington Boulevard to Moye Boulevard, bus shelter, street trees, and other amenities.

Motion was made by Council Member Miller and seconded by Council Member Dunn to authorize the City of Greenville to enter into an agreement with the North Carolina Department of Transportation for a grant in the amount of \$133,600 for sidewalks, bus shelters, and streetscape improvements in the Medical area. Motion carried unanimously (Contract No. 1240)

CONSIDERATION OF ACCEPTANCE OF GRANT FROM NORTH CAROLINA HOUSING FINANCE AGENCY - APPROVED

City Manager Davis informed the Council that an application submitted by the Planning and Community Development Department in January 2003 for Secondary Mortgage Assistance to homebuyers in Countryside Estates was approved. No match is required. The grant amount is \$185,000, which will provide an average of \$15,000 for 12 families.

Motion was made by Council Member Craft and seconded by Mayor Pro-Tem Miller to authorize the Mayor to accept and execute the grant agreement from the North Carolina Housing Finance Agency for secondary mortgages in Countryside Estates. Motion carried unanimously. (Contract No. 1241)

BID AWARD TO MUSCO LIGHTING FOR LIGHTING AT H. BOYD LEE PARK – APPROVED

Motion was made by Mayor Pro-Tem Miller and seconded by Council Member Little to approve the lighting bid in the amount of \$68,150 from Musco Lighting for the third ballfield at H. Boyd Lee Park. Motion carried with a vote of 5:1. Mayor Pro-Tem Miller and Council Members

Council, Dunn, Little and Craft voted in favor of the motion. Council Member Glover voted in opposition.

AWARD OF CONSTRUCTION CONTRACT FOR GREEN MILL RUN GREENWAY,
PHASE 2 PROJECT - APPROVED

Motion was made by Mayor Pro-Tem Miller and seconded by Council Member Little to approve the construction contract for the base bid portion of the Green Mill Run Greenway, Phase 2 Project to Central Builders, Inc. in the amount of \$141,036.00 and to approve the proposed project budget. Motion carried unanimously. (Contract No. 1242)

The project budget approved was as follows:

Project Expenditures	
Contract Amount	\$141,036
Contingency (5%)	<u>7,052</u>
Total Expenditures	\$148,088
Project Revenues	
NCDOT Enhancement Funds	<u>\$148,088</u>
Total Revenues	\$148,088

EXTENSION ON CONSTRUCTION COMPLETION TIME FOR INFRASTRUCTURE
IMPROVEMENTS AT MEADOW WOODS SUBDIVISION – APPROVED

City Manager Davis stated that Michael Baldwin has requested that the completion date for the infrastructure improvements in Meadow Woods Subdivision be extended from March 31 to May 31. The reason for this needed extension is because of the extremely wet weather that the area has experienced.

Motion was made by Council Member Craft and seconded by Mayor Pro-Tem Miller to extend the construction completion time for Meadow Woods Subdivision from March 31 to May 31, 2003. Motion carried unanimously.

AGREEMENT FOR TOWN COMMON AMPHITHEATER

City Manager Davis presented an agreement with Craig F. Goess of Greenville Toyota that provides exclusive naming rights for the amphitheater on the Town Common to Mr. Goess for the amount of \$130,000, which will be paid in five equal annual installments of \$26,000. The name of the facility during the term of the agreement shall be “Greenville Toyota Amphitheater”.

Mayor Parrott thanked Greenville Toyota for the \$130,000. He stated that Council Member Craft played an important role in getting this donation for the City. He thanked the Goess family for the donation.

Council Member Craft stated that he was grateful to those who have made it possible for this to be done tonight. He is appreciative to Mr. Goess and his family and the spirit in which he gave the City the money.

Motion was made by Council Member Council and seconded by Council Member Little to approve the agreement with Craig Goess of Greenville Toyota regarding the naming rights of the amphitheater at the Town Common. Motion carried unanimously. (Contract No. 1243)

REPORT ON BIDS AWARDED

City Manager Davis informed the Council that the following bids had been awarded:

<u>Date</u>	<u>Item Description</u>	<u>Awarded To</u>	<u>Amount</u>
2/14/2003	14 Ft. Step Van (Police/ERT Team)	Fleet Care, Inc.	\$54,950.00
2/21/2003	*Safari Core System (Computer Software & License) (Information Technology Dept.)	Recware By Active.com	\$33,127.00*

*This software was an upgrade to a current system, therefore no bid was conducted.

COMMENTS FROM MAYOR AND CITY COUNCIL MEMBERS

Council Member Glover stated that racism does not have a color. It is ignorance and fear, ignorance because one doesn't know the needs of the community and fear because they are afraid to reach out. She feels that the Council Members don't know the needs of her community. The people in West Greenville are trying to save their children. Weed and Seed will be continued even if it doesn't receive funding of the City of Greenville. West Greenville cares about the community and about the children and will continue to fight to have the same nice things in our community that they do.

Mayor Pro-Tem Miller stated that he really didn't understand the sense of hatred that he heard in Council Member Glover's voice during her statement tonight. Members of this City Council have great compassion for all of Greenville. It appears that she doesn't feel that way. He stated that if she used 10% of the energy she used tonight to divide this community to unite it, it would be better. Mayor Pro-Tem Miller stated that Council Member Glover can't say the Council hasn't personally tried to help all of Greenville. He took offense at what she said tonight.

Council Member Glover stated that she has used all of her energy trying to make it better for people in her community. Her tone was not one of hatred, it was one of compassion for people, the poorest of people. Her comments are not comments of divisiveness. The whole community feels it.

Council Member Council reported on the following:

- The Historic Preservation Commission gave three awards this week at the Uptown Greenville Social.
- She attended the Convention and Visitors Authority meeting prior to this meeting tonight. They gave a good report on things happening there. The budget is in process.
- The African-American community is tired of being left behind. What the Council feels is best for that community may not necessarily be what is best for the community. The Council asks everyone what they want for their area, but doesn't give them the African-American community the same respect. The white community doesn't value the African-American community the same as they do other communities. This is the feeling of the African-American community.
- Cassandra Daniels participated in the Annual Youth Educational Forum at City Hall last Tuesday. City Hall was filled up with youth from the high school Choices/Options programs.
- The community needs to get out there and utilize the resources that already exist.
- Cornell West of Harvard will be at Mendenhall tomorrow night.
- Gaston Monk will be honored at the Hilton Saturday night.

Mayor Parrott thanked Council Member Council for participating in all of the activities that she does.

Council Member Dunn encouraged neighborhoods to form community watches. She stated that the Breezewood area will be setting one up.

Mayor Parrott stated that this has been a great meeting tonight. There has been a lot of good discussion. The Council has listened to each other and has learned something. This Council and everybody on it has a very strong concern for everybody in our community. West Greenville is not going to be forgotten. This City Council is committed to the quality of life for everybody in this City.

CITY MANAGER'S REPORT

Good News Report

City Manager Davis stated that 39 houses have been built or are under construction in Countryside Estates.

The NCLM 2003 Regional Mini-Conferences on Wednesday, March 26, 2003 at the Greenville Hilton

City Manager Davis reminded the City Council of the NCLM 2003 Regional Mini-Conference being held on March 26 at the Hilton at 11:30 a.m.

FEMA Grant Approval for the Town Common Amphitheater

City Manager Davis reported that FEMA funds in the amount of \$157,000 came in for the Town Common amphitheater.

Downtown Parking and Safety Arrangements

City Manager Davis stated that the City will seek a proposal from the people who want to operate the parking lots downtown. Proposals will be received March 1. They will have meetings with the downtown bar owners and will begin implementation April 3. Lots will be designated for employees of the businesses.

Establishment of Joint Meeting Dates with Greenville Utilities Commission on Tuesday, March 18, at 5:30 p.m. and on Monday, March 31, at 6:30 p.m.

Motion was made by Council Member Dunn and seconded by Mayor Pro-Tem Miller to schedule a joint meeting with Greenville Utilities on Tuesday, March 18, at 5:30 p.m. and Monday, March 31, at 6:30 p.m. in the Greenville Utilities Board Room. Motion carried unanimously.

Mayor Parrott stated that at the March 18 meeting, appointments will be made to the Joint City/Greenville Utilities Commission Pay and Benefits Committee and a Joint Audit Committee. He asked that anyone interested in serving needed to let him know.

Update on MPO Trip to NCDOT in Raleigh on February 28 for Transportation Priorities

City Manager Davis stated that the MPO trip to NCDOT on February 28 regarding the transportation priorities was a productive meeting.

Other Meetings in the Month of March

Motion was made by Council Member Craft and seconded by Council Member Dunn to cancel the 7:00 p.m. meeting scheduled for March 24. Motion carried unanimously.

CIP Meeting

City Manager Davis reported that at the March 5 meeting regarding the Capital Improvement Program, Council was asked to provide comments to him. To date, he has received none. He asked that the Council please provide them to him as soon as possible so that he can compile the list to submit to Council.

ADJOURN

Motion was made by Mayor Pro-Tem Miller and seconded by Council Member Council to adjourn the meeting at 10:30 p.m. Motion carried unanimously.

Respectfully submitted,

Wanda T. Elks, CMC
City Clerk